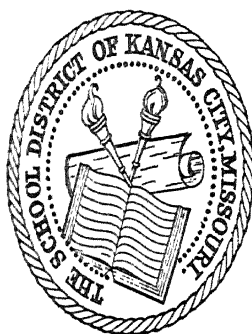


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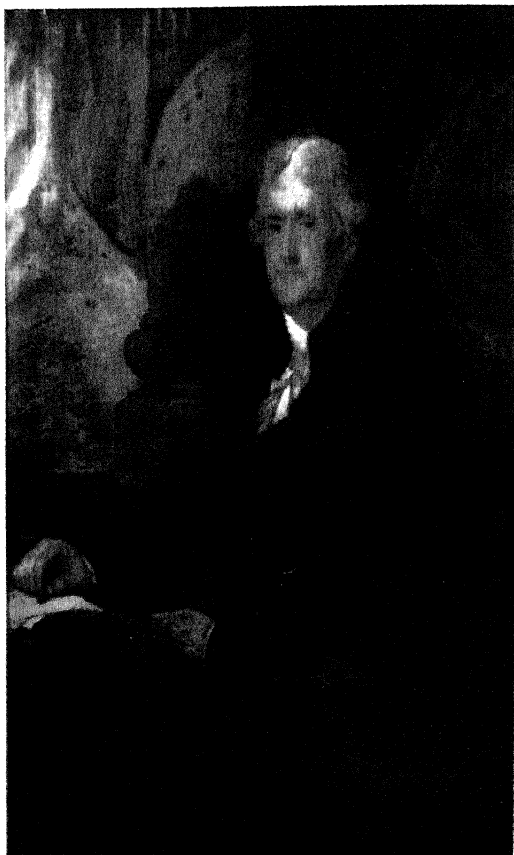


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JEFFERSON-GILMER CORRESPONDENCE

1814-1826



THOMAS JEFFERSON

(From a portrait in the McKissick Library
of the University of South Carolina.)

Correspondence of
Thomas Jefferson
and
Francis Walker Gilmer
1814-1826



Edited with an introduction

by

RICHARD BEALE DAVIS

*Associate Professor of English
University of South Carolina*

1946

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To
L.B.D. and M.W.D.

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PREFACE

Of the seventy-one letters included in this volume a majority have a curious history. When in 1889 Professor William Peterfield Trent was preparing his study of Thomas Jefferson and Francis Gilmer and the founding of the University of Virginia, *English Culture in Virginia*¹, he had at his disposal two bound Gilmer letter-books, containing among other things fifty letters from Gilmer to Jefferson and about fifteen from Jefferson to Gilmer. A few years later the two volumes were disposed of by the member of the Gilmer family who owned them. One volume, that containing the Jefferson to Gilmer letters, found its way into the University of Virginia Library. The second, containing the Gilmer to Jefferson material, was broken up and sold piecemeal, the entire fifty letters disappearing from view.

In 1939, in publishing a biographical study, *Francis Walker Gilmer: Life and Learning in Jefferson's Virginia*², I expressed regret that the letters Professor Trent had used were no longer available³. My pleasure was considerable when, in 1942, I discovered the entire group of fifty Gilmer-Jefferson letters to be in the archives of the Missouri Historical Society in St. Louis. Almost at once I determined to combine them with the Jefferson-Gilmer letters I had already seen at the University of Virginia and to prepare an edition of the entire correspondence. The several persons and institutions which have assisted me in this undertaking I have the privilege of thanking here.

The Alderman Library of the University of Virginia and its staff have been helpful through the whole course of the preparation of the manuscript. Mr. Jack

1. Johns Hopkins University Studies in Historical and Political Science, Baltimore, 1889.

2. Dietz Press, Richmond.

3. Professor P. A. Bruce in preparing his five-volume *History of the University of Virginia, 1819-1919* (New York, 1920), was likewise unable to locate these letters, cf. Introduction, below, p. 12.

Dalton, Associate Librarian, originally brought the Missouri letters to my attention and has assisted many times in the research necessary in annotation. Miss Louise Savage, Acting Curator, Division of Rare Books and Manuscripts, has collated typed copies of letters with originals and with microfilm and has checked other materials.

The Missouri Historical Society, through Mrs. Brenda R. Giesecker, has been most gracious in permitting publication and in collating copies and manuscripts several times. The Massachusetts Historical Society, through Dr. Allyn B. Forbes, has likewise courteously given permission to print three letters from its collections.

Authorities in various phases of American history and literature have given useful critical advice at many points. Dean James Southall Wilson and Professor Thomas Perkins Abernethy of the University of Virginia and Professor Robert Lee Meriwether of the University of South Carolina have read introduction and letter-text in whole or in part. They have cleared up many puzzles. Dr. Dumas Malone, now engaged in work on a biography of Jefferson, and Dr. Julian P. Boyd, editor of the Princeton *Papers of Thomas Jefferson*, have been generous in their encouragement of this publication.

Most of all I am indebted to Dean Wilfrid H. Callcott, chairman of the Press Committee of the University of South Carolina Press, and the Press Committee as a whole, for their initial encouragement and constant patience through the course of publication. Dr. Callcott's keen eye and sound perception have discovered and corrected many errors or doubtful readings of text. The discrepancies remaining are the editor's own.

RICHARD BEALE DAVIS.

INTRODUCTION

The best picture of Thomas Jefferson still lies in his letters. Whether he is writing to his peers John Adams and DuPont de Nemours, to his nephews Peter and Dabney Carr, or to his rustic brother, Randolph, Jefferson always reveals much of himself. He also manages to draw out a good deal of the man to whom he is writing. Any portion of his correspondence, therefore, usually presents a double portrait.

The correspondence of Jefferson with Francis Walker Gilmer in this volume presents an exchange between two alert minds of broad interests. The letters cover the last twelve years in the life of each participant, one of whom died at the age of eighty-three and the other at thirty-six. Gilmer appears as the representative of the generation born a decade after Yorktown, though he was so unusual a representative that Jefferson referred to him as "the best educated subject we have raised since the Revolution." Gilmer is first the young man looking to his father's friend for advice or information, then the young lawyer exchanging ideas with the older on public affairs, and finally the trusted agent reporting to his chief on an important mission. Jefferson gives his advice carefully and shows his surprising confidence by selecting a man nearly fifty years his junior for a delicate mission in which his agent's judgment would largely determine the fate of his beloved university.

It is in this last capacity that Gilmer is most useful and the correspondence most interesting, for in it he brought to fulfillment one of Jefferson's great ambitions, the plan for securing in England an able faculty with which to open the infant University of Virginia.

Professors H. B. Adams, W. P. Trent, and P. A. Bruce, as well as the present writer have at various

times told the story of Gilmer's mission to Europe. Professors Adams and Trent had about two-thirds of these letters available but were unable to use them because of limitations of space and purpose. Then, as noted in the Preface, subsequent writers have not had the use of most of these, for soon after Trent saw them they were sold and lost to view. It is only now that three groups of letters, the Gilmer to Jefferson letters in the Missouri Historical Society (the lost group), the Jefferson to Gilmer and the Gilmer to Jefferson letters in the University of Virginia, and the Jefferson to Gilmer letters in the Massachusetts Historical Society are available. Many in the two latter groups were unknown to earlier writers on the subject. These letters tell the story first-hand more completely than any previous work has done, and they clear up several puzzles and correct some errors. Above all, they show Jefferson's anxiety and his exercise of personal care in this vital episode in the founding of his university.

Francis Walker Gilmer needs some introduction. Born in 1790 at Pen Park, an estate directly across the river from Monticello, he was the tenth and youngest child of Dr. George Gilmer, Jefferson's close personal friend and physician. When both of Francis' parents died, the young child was cared for in the homes of various Albemarle county relatives, including the Meriwethers. As he says in one of the letters given below, he studied French under Jefferson's daughter Martha and spent much time with this lady and her husband, Thomas Mann Randolph. For a year or two also the boy was at school at Milton, an Albemarle hamlet, under the eccentric but brilliant James Ogilvie, a Scottish disciple of William Godwin.

By the autumn of 1809 Gilmer was deep in his studies at the College of William and Mary. It was in Williamsburg that William Wirt, his brother-in-law, saw him

for the first time since early childhood, and testified that "in point of learning he was already a prodigy." Friends reported he had devoured all the libraries of his neighborhood, including his father's medical books written in Latin, and could "spout philosophy" and identify botanical specimens more effectively than any of his neighbors twice his age. The letters of this period to his friends, relatives, and guardians are full of scientific phrases and political speculations. By the time Gilmer received his degree in 1810, Bishop Madison, the president of William and Mary, had offered him an ushership in the grammar school connected with the college so that the young man might use his spare time preparing himself for the college faculty.¹

But law offered far more to the young American of that period than pedagogy could. In truth, law seemed the only profession for a young man of ability and only moderate means. By January of 1811 Francis Gilmer was in Richmond studying for the bar under his brother-in-law William Wirt, who was already famous for his part in the Burr trial and for his debates before the Virginia Supreme Court of Appeals, as well as for the *Letters of the British Spy* and *Old Bachelor* essays. The master-pupil relationship broadened into a great friendship; in later years each criticized the writings of the other, and Gilmer always turned instinctively to Wirt for advice or comfort. Through 1814 Gilmer plugged at the law, accompanying the Wirt family to Buckingham for summer vacations, occasionally visiting his relatives in Albemarle, and taking a brief part in the War of 1812 as a member of Wirt's battery of flying artillery.

In the spring of 1814 Gilmer seems to have formulated the idea of going to Winchester, Virginia, to set up his first legal practice. Winchester was a thriving town, the largest west of the Blue Ridge, and already contained

1. For a more detailed discussion of Gilmer's life and activity, cf. Richard B. Davis, *Francis Walker Gilmer: Life and Learning in Jefferson's Virginia* (Dietz Press, Richmond, 1939.)

three or four able lawyers who would make congenial companions. Some time was to elapse, however, before he actually moved. He spent part of the summer of 1814 in the militia camp on the York river with Wirt, the Carrs (Jefferson's nephews), Jefferson Randolph (Jefferson's grandson), and Abel P. Upshur (later Secretary of State in the cabinet of President Tyler). Since the British did not appear, most of the group grew tired of waiting and went home. By November Gilmer had started on another expedition, this time not a martial one, and for the moment the Winchester project was put aside.

The new excursion grew out of an acquaintance formed in 1813 or early in 1814. Jefferson himself had probably introduced Gilmer to the Abbé Joseph Correa da Serra, Portuguese philosopher, scientist, and diplomat. Correa's distinguished career in his native land as a scientist had brought him under the suspicion of the Inquisition, and in the 1790's he fled to England, where his attainments were recognized through his election to the Royal Society. In 1813 he had come to America, given botanical lectures, and visited Jefferson. Correa became attached to Gilmer and undertook to continue the education of the young American in his own botanical and philosophic lore. On November 1, 1814 Gilmer wrote to Jefferson concerning his projected trip to Philadelphia with Correa and asking for a letter of introduction to Dr. Caspar Wistar. Two days later he wrote to his brother Peachy concerning the same journey. Though ordinarily inclined to be critical of his associates, Gilmer was enthusiastic concerning Correa:

He is the most extraordinary man now living, or who perhaps, ever lived. None of the ancient or modern languages; none of the sciences, physical or moral; none of the appearances of earth, air or ocean, stand him any more chance than the Pope of Rome, as old Jouett used to say. I never heard him asked a question he could not answer. . . . He is a

member of every philosophical society in the world, and knows every distinguished man living. . . .²

The journey to Philadelphia was taken. Gilmer pronounced the months of familiar intercourse with the Wistar circle of the literati and with other visiting intellectuals the happiest of his life. There he exchanged ideas with Robert Walsh, George Ticknor, John Vaughan, Hugh Swinton Legaré, and many other older men and rising young men of his own generation, and there he became seriously interested in an unidentified lady, the "fair Glendover." This visit gave rise to his correspondence with each of the gentlemen mentioned above.

In the summer of 1815 Gilmer actually took up his residence in Winchester, but no sooner had he done so than Correa appeared and induced him to go to Monticello. The two accompanied Jefferson to his Poplar Forest estate in Bedford County, and then the European philosopher and the American lawyer continued their journey into the deeper South.³ They botanized in Georgia, South Carolina, and the Indian country. They visited kindred spirits in Athens, Georgia, and Charleston, South Carolina. Meanwhile, Gilmer gathered material for an article on the Cherokees.

In 1816 Gilmer did settle in Winchester and almost at once acquitted himself brilliantly in the courts, though he was hampered during the first winter by an illness which may have been an anticipation of his later troubles. Like other lawyers of the frontier, he took a keen interest in the questions of national policy then confronting the nation. His letter to Jefferson on the Florida boundary question is typical. His historical data is ex-

2. Letter quoted in William Peterfield Trent, *English Culture in Virginia* (Johns Hopkins University Studies in Historical and Political Science, Baltimore, 1889) p. 37.

3. For a detailed account of this journey, cf. Richard B. Davis, "Forgotten Scientists in Georgia and South Carolina," in *The Georgia Historical Quarterly*, XXVII (Sept., 1943), pp. 271-284. For Gilmer's botanical notes made on this journey, cf. Richard B. Davis, "An Early Virginia Scientist's Botanical Observations in the South," in *The Virginia Journal of Science*, III, No. 5 (May, 1942), pp. 132-139.

act; his arguments are parallel to and perhaps anticipate those of other good legal and diplomatic minds of the day on the question.

On the very day that Gilmer was writing to Jefferson regarding the Florida question (February 16, 1816) the young Virginian's paper, "On the Geological Formation of the Natural Bridge of Virginia", was read before the American Philosophical Society, and a month later his little volume, *Sketches of American Orators*, appeared anonymously from a Baltimore press. Both items (for the geological paper was printed) were read rather widely. By June he had received and begun translating the manuscript of the Quesnay essay on natural right, though the English version did not appear in print until after Gilmer's death. In July he gave Jefferson his own opinions on the question of natural right, opinions remarkably mature for a twenty-six year old provincial lawyer. His later troubles in translating the physiocratic treatise were apparently due in large part to the lack of recent and comprehensive French dictionaries in Winchester, for Jefferson and others regarded him as one of the best French scholars of his time.

In the meanwhile he had delivered a Fourth of July oration and continued to make his way against or amongst lawyers of established reputation. His correspondence with the Philadelphia group, with Wirt, with Legaré, with Correa, and with John Taylor of Caroline was continuing. By the end of 1817, restless and more ambitious than ever, Gilmer felt that he must leave Winchester for a larger arena. He considered Baltimore for a time but after consulting Wirt and Correa eventually decided to return to Richmond. Wirt, recently made Attorney-General of the United States, had left in the Virginia capital a legal practice at least a large part of which Gilmer might reasonably expect to inherit. The years in Winchester had served to complete his legal apprenticeship by actual performance, and he was now

ready to begin practice in a field more nearly commensurate with his talents.

Richmond proved far more stimulating than Winchester, but Gilmer could still consider it the "darkness visible" when he compared its intellectual opportunities with those opened before him in the letters of George Ticknor, then studying in Germany and Italy. Though he toyed during this period with the idea of becoming president of William and Mary, there is every reason to believe that he fully agreed with Jefferson that it was not the place for him.

Except for his growing interest in the Central College, the law was almost all absorbing to Gilmer during the years from 1818 to the end of 1823. He fell in love (though he did not marry), he wrote a few more essays, and he formed a close and enduring friendship with John Randolph of Roanoke. Most of his time was consumed directly with the law. In the interests of himself or his clients he made long journeys to western Virginia and to Georgia. He appeared in the criminal and civil courts and acquitted himself as brilliantly as he had been expected to do. He relentlessly pursued any legal question which faced him, as is shown in his letter to Jefferson of June 23, 1819. And for one year of this period he acted as reporter for the Virginia Supreme Court of Appeals. Inevitably, his legal and scholarly reputation continued to grow, though he seems never to have aspired to public office.

Gilmer's interest in the Central College had begun with the first moves made for the institution. His brother-in-law, Peter Minor, was the secretary of the first Board of Visitors when the College became the University of Virginia, but it was Jefferson's sponsorship rather than his relative's which attracted Gilmer's interest. In his first 1818 letter to Jefferson from Richmond he had said that the idea of aiding the Central College had been a principal reason for his removal to the

city, and that he had assisted in gathering subscriptions for its support while in Winchester.

This interest evidently continued, and five years later Jefferson's letter of November 23, 1823, offered Gilmer the chair of law in the new university and asked that his young friend act as commissioner for securing professors in England. Unfortunately this letter has not been preserved, but Gilmer's answer (December 3, 1823) and his reasoning in the matter lie before us. Though he appreciated the double honor, the thirty-three year old lawyer would not rush into anything hastily.

The fact that Joseph C. Cabell had earlier been considered for the journey to Europe and that Jefferson's nephew, Chancellor Dabney Carr, had been considered for the Law professorship does not at all lessen the compliment to Gilmer. Actually it enhances it, for he was not of the age or experience of either of the other men. At any rate, by early spring he had made up his mind to undertake the mission, though he was more reluctant to give his decision on the professorship. One has only to read Jefferson's correspondence elsewhere⁴ to realize the importance the University's founder placed on the chair, and yet the misgivings of a young man who might reasonably look forward to an eminence in his profession or in public life far more remunerative than teaching might ever be can be appreciated.

One must go back several years to get an idea of the motivating influences which resulted in this interesting journey. Almost since the Revolution Jefferson had held the idea of importing a faculty from Europe for a great national university. As early as 1817 he had attempted to secure the Englishman Dr. Thomas Cooper and the Frenchmen Jean Baptiste Say and Destutt de Tracy as professors in his budding university. Religious and financial difficulties had thwarted him in these instances.

4. Cf. Roy J. Honeywell, *The Educational Work of Thomas Jefferson*, (Harvard Press, Cambridge 1931), pp. 96-98, 120-123 and P. A. Bruce, *History of the University of Virginia* . . . (5 vols., Macmillan, New York, 1920), vols. I and II. Also cf. various letters in Memorial Edition of *The Writings of Thomas Jefferson* (Washington, D. C., 1903-04).

In 1819 attempts were made to persuade two illustrious American scholars, George Ticknor and Nathaniel Bowditch, to accept positions. Though both admired Jefferson, they had other plans. Jefferson himself saw that if he were to use American citizens, he would have to secure distinctly "secondary characters." He preferred young Englishmen, fresh and certainly not provincially American in outlook, men who might prefer fairly rapid advancement in a new country to slow and little promotion at home. Englishmen were naturally preferred over Frenchmen or Germans because of the language barrier.

As early as 1821 George Blaetterman, a German living in London, had submitted his credentials to the Board of Visitors. In 1823 he again applied for an appointment. Jefferson's friend Richard Rush was asked to inquire into Blaetterman's qualifications, but it was left to Gilmer to make a definite decision regarding him.

Gilmer's instructions were explicit only in regard to financial matters. Each professor would receive an annual salary of not less than one thousand and not more than fifteen hundred dollars, as well as the tuition fees⁵ belonging to the chair he filled. Six thousand dollars was appropriated for the purchase of text-books and scientific apparatus, two thousand deposited abroad to enable Gilmer to make advances to such of the professors as needed them, and fifteen hundred allowed Gilmer for the expenses of his journey. Since the University planned to open its doors on January 1, 1825, it was hoped that all professors might be engaged by November, 1824.

One other thing concerning the gentlemen to be engaged Gilmer had to bear in mind: over and over in his correspondence Jefferson stressed the idea that the occupant of a particular chair in a university not only must know his own field, but be able to converse and work intelligently with the other members of the faculty in

5. Gilmer optimistically estimated the fees at a probable \$6,000 a year cf. his letter to Thomas Hewett Key, July 26, 1824, in *Trent*, op. cit., (p. 77). The actual average fees during the first year (1825) amounted to about \$1,000 for each professor (cf. Roy J. Honeywell, *The Educational Work of Thomas Jefferson*, Harvard Press, Cambridge 1931, p. 103.)

theirs. Undoubtedly this was one reason for choosing Gilmer as professor of law: Jefferson could not have located a better example in America of what he looked for in his foreign professors.

The commissioner set forth with an imposing bundle of letters of introduction. There was evidently some idea of visiting France, for there was one letter from Jefferson to Jean Thonin of Paris. Other letters were from ex-President Madison and Jefferson and were addressed to such men as Richard Rush, American minister in England; to Dr. Samuel Parr, the classical scholar; to Major John Cartwright, English liberal; and to Dugald Stewart, Scottish philosopher. It was in his letter to Rush that Jefferson referred to Gilmer as "the best educated subject we have raised since the Revolution, highly qualified in all the important branches of science, professing particularly that of law His morals, his amiable temper, and discretion will do justice to any confidence you may be willing to place in him"

The first days and weeks were difficult, though Gilmer made some acquaintances who were to be of immense help later. The venerable Dr. Parr, friend a half century before of Samuel Johnson, and a mighty classicist, was attracted to Gilmer at once. And almost all the other persons Gilmer mentioned in the first letters home were prominent ones.

At the end of July he was clearly discouraged, and the early days of August in Edinburgh made him more so. The letter written to Jefferson on August thirteenth marks the low tide of his enthusiasm and confidence. Despite the lack of success in the mission, however, his charm and attainments made themselves felt in the Scottish capital, where he was entertained on every hand. Mrs. Francis Jeffrey declared him the most popular American who had ever visited Edinburgh.

Except for his excursions to Boston and Stratford-on-Avon, much of the rest of the story of the way in which

Gilmer eventually found the men he was looking for is told in these letters to Jefferson.

Early in October he started home, with letters from Thomas Campbell the poet and from Dr. Parr in his pocket. The terrible voyage and the strain of his undertaking brought back the pulmonary disease from which he evidently had suffered in those winters of illness years before. Though he had accomplished his task admirably, he had given his life in the process. The last year and a half were a feverish and continuous struggle to regain his health; a futile struggle, though summer weather and a mild autumn in 1825 gave him new hope. And his comfort was not increasing during these months by the misunderstandings of some of the Englishmen on whom he certainly thought he had conferred a favor.

The law professorship, as far as Gilmer was concerned, is explained in his letters. Later it was offered to several other gentlemen of distinction before a Mr. John Lomax, of Fredericksburg, accepted it. By December of 1825 it was obvious that Gilmer would never be able to occupy the chair, that he was dying. His favorite brother Peachy came to Farmington, the beautiful Divers estate near Charlottesville which Francis was supposed to inherit, to nurse him. There Gilmer struggled on until February twenty-fifth, dying courageously but with a certain bitterness that fate had so dealt with him.

The exchange of brief notes on January twenty-third and twenty-fourth came just a month before Gilmer's death and less than six months before Jefferson's. Jefferson was tender and even affectionate; Gilmer's affection is half-hidden in respectful dignity to the end. They understood each other.

Gilmer is in many respects the summary of the best qualities of the culture of the Southern gentleman of his period. He had learned law from Wirt and Tucker, rhetoric and the classics from Ogilvie, science from Correa and Wistar; he had corresponded with the learned

all over America and Europe; he had made a few small contributions to science, political economy, and oratory. He aspired to personal eminence, and with his aspirations went a sincere desire to do something for his "country", Virginia: "she has genius enough, she wants only method in her application."

Always hampered by his physical disabilities, Gilmer's one real accomplishment was in the results of his mission to Europe. To appreciate this accomplishment one must note what happened to the professors he chose. He had only his own good judgment and the recommendations of acquaintances to aid him, but time has vindicated him in his selections.

Blaetterman, the first engaged, was a sort of legacy from a previous negotiation. Only half the credit for him goes to Gilmer, perhaps fortunately. The German was never popular with his students, and Gilmer was certainly never enthusiastic concerning him. Blaetterman was an excellent scholar, however, and began the courses in languages, including Anglo-Saxon, in which the University was a pioneer. He held his post until 1840, when he was dismissed for beating his wife.

In George Long, Gilmer brought to America one of the finest classical scholars the nineteenth century produced. Long remained a sufficient time in Charlottesville to marry a charming Virginia widow. In 1828 he was offered the chair of Greek in the new University of London, and returned to England to a distinguished career as editor, teacher, and scholar. He taught Poe in Virginia and Browning in London. He was an ardent Southern sympathizer, keeping up a correspondence with former pupils long after the War Between the States.

Thomas Hewett Key, Long's good friend, founded at the University a fine school of mathematics and then followed Long back to England. His versatility is evident in the fact that he devoted the rest of his life to philology and edited a monumental dictionary of the Latin language.

Charles Bonnycastle, son of a famous mathematician, came to Virginia to teach physics and philosophy, but shifted over to mathematics when Key returned to England. This he taught until his death in 1840. He published mathematical treatises, and was so much respected that the faculty declared him at the time of his death capable of filling with distinction any professorship in the University.

Robley Dunglison, founder of the medical department, was a contributor to medical and scientific journals in this country and in England. He was Jefferson's favorite physician and attended him when he died. Dunglison remained at the University eight years and went on to a distinguished scientific career at the Jefferson Medical College in Philadelphia. His name is said to be well known to any student of medical literature in English speaking countries.

In the one American (born in Ireland) professor he chose Gilmer was equally fortunate. Like Dunglison, John P. Emmet was a Doctor of Medicine. He became professor of chemistry and materia medica in the new medical department, and like his colleague contributed to many scientific journals. He left behind him a fine reputation as a teacher.

Jefferson was very properly pleased with himself and with Gilmer. In a letter to W. B. Giles of December 26, 1825, he endorsed the selections with his approval: "A finer selection could not have been made. Besides their being of a grade of science which has left little superior behind, the correctness of their moral character, their accommodating disposition, and zeal for the prosperity of the institution, leaves nothing more to ask."⁶

6. *The Writings of Thomas Jefferson* (Memorial Edition, Washington, D. C., 1903-04), XVI, p. 150.

TEXTUAL AND BIBLIOGRAPHICAL NOTE

The text of these letters requires a brief statement. The actual spelling and punctuation of the originals has been reproduced. Both Gilmer and Jefferson were typical of their period in a certain inconsistency and carelessness, as well as idiosyncrasy. Jefferson usually has no punctuation following "Dear Sir;" Gilmer may have a comma, a period, or nothing. Jefferson frequently or usually does not capitalize at the beginning of sentences; Gilmer sometimes does and sometimes does not. Jefferson usually spells words such as "received," as "re-cieved;" but his capitals may be inconsistent within a single sentence. Gilmer is inconsistent in both spelling and punctuation: e. g., "St. Ildefonso" will appear in the same letter once with a period following the "St" and in another place without the sign. To the modern reader Gilmer's most disturbing habit is his use, in similar situations, of brackets in one instance and parentheses in another, of single quotes in one instance and double quotes in another, even within the same letter. Where the meaning is obvious the editor has refrained from interpolating the correct form so as to avoid annoyance to the reader. Where the manuscript is so difficult to read as to arouse doubt, a question mark in brackets, thus "[?]," is inserted.

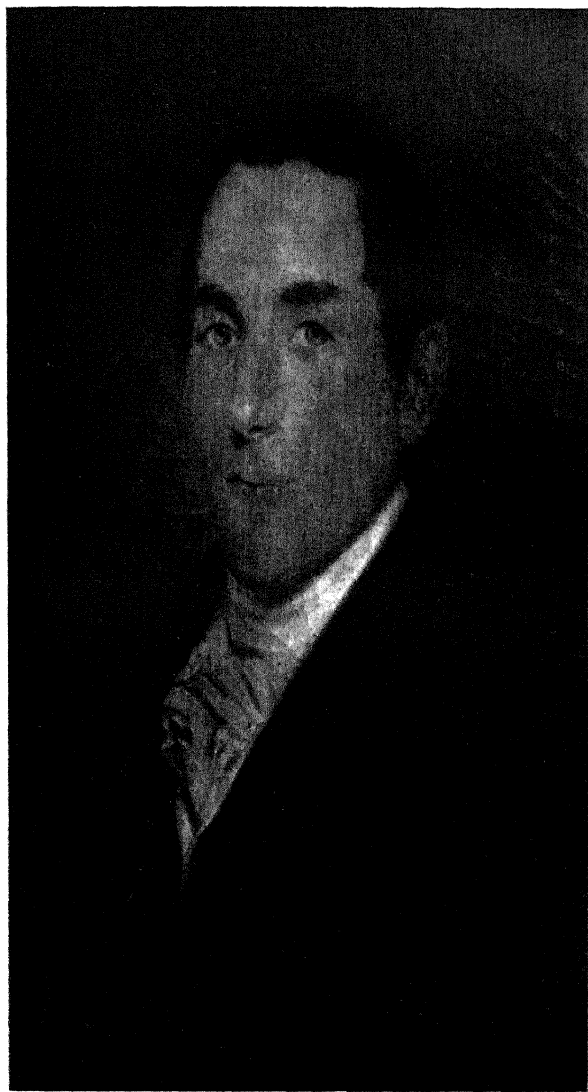
References have usually been made to the sources of any information given in the footnotes. An exception is the identification of individuals. Most or all of the better known American figures appear in the *Dictionary of American Biography*; the Englishmen Gilmer met on his mission in the *Dictionary of National Biography*; lesser known Virginia figures in L. G. Tyler's *Encyclopaedia of Virginia Biography* (New York, 1915, 5 vols.) or in E. G. Swem's *Virginia Historical Index* (Roanoke, Va., 1934, 2 vols.). For those not covered in these works the specific references are given.

JEFFERSON-GILMER CORRESPONDENCE

1814-1826

INTELLECTUAL INTERESTS, PROFESSIONAL
PROBLEMS, AND FRIENDSHIPS

(November 1, 1814—November 25, 1823)



FRANCIS WALKER GILMER

(From a portrait in the Bayly-Tiffany Art
Museum of the University of Virginia.)

Gilmer to Jefferson

[Missouri Historical Society]

Richmond 1st Nov^r 1814

Dear Sir.

My inclination to visit Philadelphia with Mr. Correa¹ which has been strengthened by every days acquaintance with him has finally determined me to do so; and I must beg of you the favor which you were so kind as to promise, in giving me a letter to Doctr. Wistar.² I am sensible, of the obligation which such a recommendation as yours will impose upon me of deserving it, & will promise my endeavours to do so. I am sensible too of the personal obligation which I owe to you for such a mark of your good opinion.

Mr. Correa joins me in wishing you a long continuance of health & happiness.

very sincerely

yours & c.

F. W. Gilmer

P. S. a letter will reach me in Washington within a fortnight of this time and at Philadelphia afterwards.

1. Joseph Correa da Serra (1750-1823), Portuguese botanist, came to America in 1813 to continue his researches in natural history. He became a personal friend of Jefferson and many of the scientific and literary men of the United States. See the Introduction, p. 14, and the *Encyclopedia Britannica*, eleventh edition.

2. Doctor Caspar Wistar (1761-1818), scholar and scientist for whom the shrub *wistaria* was named, succeeded Jefferson as president of the American Philosophical Society and was professor of anatomy in Philadelphia. "Wistar parties," gatherings of the *literati*, were famous.

Gilmer to Jefferson

[Missouri Historical Society]

Washington Nov. 13th, 1814

Dear Sir.

I wrote to you from Richmond, soliciting a compliance with the promise which you were so kind as to make of a letter to Dr. Wistar. The apprehension that my letter may not have reached you, and the desire of making my visit to Philadelphia as pleasing, and as instructive as possible induce me to renew my application To which permit me to add, that nothing will give me more pleasure, than to be able to serve you in any manner whatever; either during my journey with Mr. Correa, or during my longer journey thro' life. you have grown old in active service among men, & perhaps have found little to make you desirous of contracting new friendships; to me will belong hardly any thing else, than to reverence your memory, & be grateful for your past services. I wish that I may ever be able, to add any thing to your present happiness, or your future glory.

yours sincerely & c.

F. W. Gilmer

Jefferson to Gilmer

[Alderman Library]

Monticello Nov. 23.14.

Dear Sir

Your favor of Nov. 13 from Washington was brought by our last mail. That said to have been written before is not recieved. I now indorse you a letter to Dr. Wistar. after your feast of science in Philadelphia I am happy to learn we shall still have attractions worthy of drawing & retaining you here, permanently as it is hoped. The position¹ is a good one whatever line of life you propose to pursue, you will enter on it with high prospects which worth, talent, and science present, and public opinion hails. There would be nothing you might not promise yourself, were the state of education with us what we could wish. but the present confidence of our youth in innate knolege, their disinclination to waste time on enquiries into the progress which science has already made, or to avail themselves of the labors of the industrious ages preceeding them, leave you without rivals on the theatre of public life. I wish you all you can wish for yourself, convinced you will employ it for the good of our country, and, with thanks for your kind tender of service which I will always ask when occasion offers. I salute you with sincere affection & respect.

Th. Jefferson

1. The reference is probably to Gilmer's plan of settling in Winchester, Va., to practice law. This had been made known to Gilmer's friends and relatives several months earlier.

Gilmer to Jefferson

[Missouri Historical Society]

Winchester 16th Feb. 1816

Dear Sir.

During the sickness which has confined me to my room a great part of the winter, and from which I am still but slowly convalescent, I have occasionally turned my mind to the Florida question¹ which the late demand of the Chevalier Onís² has revived. When in Philadelphia last winter, I obtained from his secretary Mr. Heredia³, the whole strength of their cause, which I found so weak, that I promised myself an easy victory over all its partisans in this country. It was not until I heard with regret, & astonishment, that Judge Cooper⁴ was one of the most zealous, as he is certainly the most able of them, that I dreaded an opposition more formidable than that of the Spanish Embassy. I have not yet seen Judge Coopers essay⁵ in the *Democratic Press* of Philadelphia, and am therefore unable to say whether it be as profound as his known learning would lead us to expect. But as the case still appears to me a plain one, I will not abandon its defense, from a natural reluctance to enter the lists with such an adversary, accountred at all points with various & elegant learning.

As I have none of these advantages, but rely entirely upon the simplicity of the question, I will beg Sir, briefly

1. For a discussion of this whole matter and Onís' part in it, cf. Philip Coolidge Brooks, *Diplomacy and the Borderlands: the Adams-Onís Treaty of 1819*, University of California Press, Berkeley 1939. For the letters containing Onís' demand and Monroe's reply, cf. the (Richmond) *Virginia Argus*, February 4, 1816 (Gilmer and Jefferson had probably read this account). Gilmer's interest in Florida seems at this time to have been purely academic. Three years later, in 1819, he tried to persuade his brothers and their families to settle with him there (cf. Davis, *Francis Walker Gilmer*, p. 136.)

2. Chevalier Luis de Onís, Spanish representative in America from 1809, was officially recognized on December 19, 1815. His first demand was that West Florida be returned to Spain pending the settlement of its title (cf. Brooks, *Diplomacy*, p. 63). (Jefferson wrote to Onís on April 28, 1814. Cf. *Memorial Ed., Correspondence*, XIV, p. 129.)

3. Evidently one of Onís' many copyists, secretaries, secret agents, etc. Cf. Brooks, *op. cit.*

4. Judge Thomas Cooper (1759-1839), agitator, scientist, educator, friend of Jefferson, later president of the South Carolina College.

5. See note in next letter below.

to state to you the order in which I shall view the subject, & to ask of you some information which your knowledge of the public law will no doubt enable you to give me.

The first proposition upon which the Spanish minister relies, tho' not stated in his letter to Mr Monroe is, that the treaty of St Ildefonso⁶ was to take effect upon the performance of a condition precedent, relative to the duke of Parma, which the French government failed to perform, & that therefore the treaty of St Ildefonso is void. I do not know how the fact was, as to the non-compliance with this condition. But the treaties of St. Ildefonso & of Paris by which Louisiana was ceded to the U. S., having been published & acted on without any protest on the part of Spain, became a part of the public law which all nations are bound to respect.

Besides, the failure of the condition upon which the treaty of St Ildefonso was to be binding upon Spain, applies with equal force to the acquisition of that part of Louisiana to the west, as to that on the east of the Mississippi, & as Spain does not contest our claim *pro tanto* it is a waiver of the objection to the whole.

2. They contend that the treaty of St Ildefonso conveyed Louisiana to France under the same boundaries with which she held it, after all East of the Mississippi except the isle of Orleans had been ceded to England by the treaty of 1763. But the words of the treaty 'et qu'elle avoit lorsque la France la possedait' cannot by any fair interpretation be confined to the period when France held it with the narrowest limits, more especially as France was at the time of the treaty of St. Ildefonso [1800]* the dominant power in Europe, & from its known address in diplomacy would never have suffered such an evasion when it was able to resist it. The obvious [*sic*] meaning of the clause is, that Spain ceded to France, every thing which she then held, & that France

[*Brackets in original]

6. The Treaty of St. Ildefonso (1800) was a secret treaty through which Spanish Louisiana had been retroceded to France at the demand of Napoleon.

had at any time held as Louisiana. now the journal of the Chevalier la Salle⁷ shews that the first settlements of the French in Louisiana were on the Illinois [*sic*], & then St. Joseph near the lakes. The first settlements in the south [as will appear from the journal⁸ of Messrs, Bienville & Iberville]* were at Biloxi & Mobile, both far to the East of the Mississippi. They had also a settlement at Alabama at Toulouse, & indeed according to the European usage they claimed all the waters both of the Mississippi & of the Alabama.

3. The whole extent of this vast country then, was conveyed to France by the treaty of St. Ildefonso, with the exception of such portions as had been taken from it by previous conventions, which were

1. all east of Rio Perdido by the treaty of Cambray between France & Spain [1714 or 1719]*

2. all which fell within the boundaries of the U. S. at the recognition by Spain of our Independence, which was all north of the 31st n. Lat. between the Mississippi and the Chatahouchy, & thence all north of the junction of Flint Rivers with the Chatahouchy, & the sources of St. Marys.

If this interpretation of the treaty of St. Ildefonso be correct, and these facts be true, the conclusion is irresistible, that all which was ever Louisiana, now belongs to the U. S. except that portion which lies between the Perdido & the sources of St. Mary's, south, constituting the present East Florida.

[*Brackets in original]

7. Pierre Margry's *Decouvertes et 'Etablissements des Francais dans l'Ouest et dans le Sud l'Amerique Septentrionale* (Paris, 1876-86) contains many of La Salle's letters and journals.

8. No journal written in collaboration has been located. Sieur Jean Baptiste Le Moyne de Bienville, French governor of Louisiana, captured Pensacola in 1719. Pierre de Moynes d'Iberville, "fighting hero of fur raids," was commissioned in 1697 by the French king to found a colony to be named Louisiana (cf. Charles W. Hackett, *Pichardo's Treatise on the Limits of Louisiana and Texas* (2 vols., University of Texas Press, Austin, 1931-34), I, pp. 230, 232; and Henry E. Chambers, *West Florida and its Relation to the Historical Cartography of the United States*, Johns Hopkins Studies in Historical & Political Science, May 1898, XVI, no. 5, pp. 216-218). Bienville's memoirs and Iberville's journal do exist, however. In the fifth volume of Justin Winsor's *Narrative and Critical History of America* (New York, 1887) are references to these manuscripts and an excellent discussion of other sources for this period (pp. 63 ff.).

I will beg of you the favor Sir, if it be not giving you too much trouble, to give me any information that may be necessary to support these positions but especially as to the boundary between Louisiana & Florida as fixed by the treaty of Cambray. I am sorry that others much more capable than I am, from facility of access to all the repositories of public law, are too indifferent to a question of such national concern to employ their time in a work which could not fail to be useful to their country. I have already offered this scheme of defense to George Dallas⁹ of Philadelphia but he shuns the contest. I shall only engage in it, upon the condition that I can draw from your quiver, some better weapons than any that I find in my own.

I beg to be presented with sentiments of regard to
Mrs Randolph and that you will accept the homage
of my admiration and esteem

F. W. Gilmer

9. George Mifflin Dallas (1792-1864), vice-president, diplomat, had in 1816 just returned to Philadelphia from Russia. He had been secretary to Albert Gallatin on the peace commission at the end of the War of 1812.

Monticello Feb. 28.16.

Dear Sir.

I am sorry it is not in my power to furnish you any documents on the subject of the Louisiane [*sic*] boundary. all these went with my library.¹ soon after the acquisition of that country, I investigated its history & boundaries minutely, made out a chronological series of its historical events, and formed a memoir establishing its boundaries from Perdido to the Rio Bravo [Grande]. These were sent to our Commr at Madrid who had that negotiation in hand, but copies remain in the Secy of State's office. afterwards there was found in possession of the family of the late Govr Messier an original MS history of the settlemt of that country from 1699 to 1723. written by Benard de la Harpe² in the form of almost a daily journal, he being on the spot. this contained much interesting matter. it proved the constant claim of France to the Bravo, and that the settlements of the Spaniards at Nacogdoches, Adais, Assinaÿs Natchitoches, were corruptly contrived between M.St. Denys an agent of Crozat³ the merchant & patentee, and a Spanish priest. Crozat's object was commerce alone, and chiefly contraband with Mexico, and these were contrived as smuggling posts: and before the expiration of his patent and return of the govmt to the crown, they had become established firmly. This MS is in the Secy of State's office. in the Virginia Argus of about a month ago was

1. When it was bought by Congress. It was the nucleus for the present Library of Congress.

2. Winsor, *op. cit.*, p 64, locates several copies of the journal of La Harpe under the title *Journal historique concernant l'établissement des Français à la Louisiane, tiré des mémoires de Messieurs D'Iberville et De Bienville, commandants pour le roy an dit pays, et sur les découvertes et recherches de M. Benard de la Harpe, nommé aux commandement de la Baye St. Bernard.* There are copies of this in the Library of Congress and the Library of the American Philosophical Society. See also V. W. Crane's *The Southern Frontier, 1670-1732* (Durham, N. C. 1928).

3. In 1712 Louis XIV made a grant to Antoine Crozat for his trading company of all territory from New Mexico to the Carolinas (cf. Brooks, *Diplomacy*, p. 48).

an excellent chronological statement⁴ which appeared so much like an extract from mine & from La Harpe's MS that I almost suspected it came from some one in the Secy of State's office. it had few omissions & no errors. you may safely trust it. Cooper⁵ will make the most of his materials; but they must be very scanty.

yours affectionately

Th. Jefferson

4. The only articles dealing with the Florida boundary in the *Virginia Argus* are those of January 31, 1816, and February 3, 1816. They hardly represent an "excellent chronological statement," however, for they are respectively a summary of the Onís demand and actual copies of Onís' and Monroe's letters.

5. There is no evidence that Judge Cooper ever completed this project.

Jefferson to Gilmer

[Memorial Edition of the Works of
Thomas Jefferson, XV, pp. 23-27]

Monticello, June 7, 1816

Dear Sir

I received a few days ago from Mr. Dupont¹ the enclosed manuscript,² with permission to read it, and a request, when read, to forward it to you, in expectation that you would translate it. It is well worthy of publication for the instruction of our citizens, being profound, sound, and short. Our legislators are not sufficiently apprised of the rightful limits of their power; that their true office is to declare and enforce only our natural rights and duties, and to take none of them from us. No man has a natural right to commit aggression on the equal rights of another: and this is all from which the laws ought to restrain him; every man is under the natural duty of contributing to the necessities of the society; and this is all the laws should enforce on him; and no man having a natural right to be the judge between himself and another, it is his natural duty to submit to the umpirage of an impartial third. When the laws have declared and enforced all this, they have fulfilled their functions: and the idea is quite unfounded, that on entering into society we give up any natural right. The trial of every law by one of these texts, would lessen much the labors of our legislators, and lighten equally our municipal codes. There is a work of the first order of merit now in the press at Washington, by Destutt Tracy³ on the subject of political econ-

1. Pierre Samuel duPont de Nemours (1739-1817), French publicist and founder of the family in America, was an old friend of Correa and Jefferson.

2. Evidently an original of the *Traité du droit naturel par Mr. Quesnay*. This was included in duPont's own philosophical collection, *Physiocratie* (1768) and was later translated by Gilmer (cf. Gilmer's *Sketches, Essays, and Translations*, Baltimore, 1828, pp. 175-201).

3. Antoine Louis Claude Destutt de Tracy (1754-1836). The work spoken of is *A Treatise on Political Economy*, to which is prefixed a supplement to a preceding work on the understanding or Elements of Ideology; with an Analytical Table, and an Introduction on the Faculty of the Will. By Count Destutt Tracy, member of the Senate and Institute of France, and of the American Philosophical Society . . . Georgetown, D. C. Published by Joseph Milligan, 1817-1818.

omy, which he brings into the compass of three hundred pages octavo. In a preliminary discourse on the origin of the right of property, he coincides much with the principles of the present manuscript; but is more developed, more demonstrative. He promises a future work on morals, in which I lament to see that he will adopt the principles of Hobbes,⁴ or humiliation to human nature; that the sense of justice and injustice is not derived from our natural organization, but founded on convention only. I lament this the more, as he is unquestionably the ablest writer living, on abstract subjects. Assuming the fact, that the earth has been created in time, and consequently the dogma of final causes, we yield, of course to this short syllogism. Man was created for social intercourse; but social intercourse cannot be maintained without a sense of justice; then man must have been created with a sense of justice. There is an error into which most of the speculators on government have fallen, and which the well-known state of society of our Indians ought, before now, to have corrected. In their hypothesis of the origin of government, they suppose it to have commenced in the patriarchal or monarchical form. Our Indians are evidently in that state of nature which has passed the association of a single family; and not yet submitted to the authority of positive laws, or of any acknowledged magistrate. Every man, with them, is perfectly free to follow his own inclinations. But if, in doing this, he violates the rights of another, if the case be slight, he is punished by the disesteem of his society, or, as we say, by public opinion; if serious, he is tomahawked as a dangerous enemy. Their leaders conduct them by the influence of their character only; and they follow, or not, as they please, him of whose character for wisdom or war they have the highest opinion. Hence the origin of the parties among them adhering to different leaders and governed by their advice, not by their command. The Cherokees, the only tribe I know to be

4. Thomas Hobbes, (1588-1679), philosopher, author of *Leviathan*.

contemplating the establishment of regular laws, magistrates, and government, propose a government of representatives, elected from every town. But of all things, they least think of subjecting themselves to the will of one man. This, the only instance of actual fact within our knowledge, will be then a beginning by republican, and not by patriarchal or monarchical government, as speculative writers have generally conjectured.

We have to join in mutual congratulations on the appointment of our friend Correa, to be minister or envoy of Portugal, here. This, I hope, will give him to us for life. Nor will it at all interfere with his botanical rambles or journeys. The government of Portugal is so peaceable and inoffensive, that it has never any altercations with its friends. If their minister abroad writes them once a quarter that all is well, they desire no more. I learn (though not from Correa himself) that he thinks of paying us a visit as soon as he is through his course of lectures. Not to lose this happiness again by my absence, I have informed him I shall set out for Poplar Forest⁵ the 20th instant, and be back the first week of July. I wish you and he could concert your movements so as to meet here, and that you would make this your headquarters. It is a good central point from which to visit your connections; and you know our practice of placing our guests at their ease, by showing them we are so ourselves and that we follow our necessary vocations, instead of fatiguing them by hanging unremittingly on their shoulders. I salute you with affectionate esteem and respect.

[no signature]

5. Jefferson's hideaway, or summer home, in Bedford County, Virginia.

Winchester 10th July 1816¹

Dear Sir.

I have delayed until now the acknowledgement of your favour of June 7th inclosing the '*Traité du droit naturel par Mr. Quesnay*' from Mr. DuPont: under the expectation that you would not return from Bedford 'till about this time. I can but feel myself flattered by your very polite invitation to meet our 'admirable friend' the Abbé, as Mr. DuPont calls him, at Monticello; and from the last intelligence which I had of him, I hope to accompany him to Albemarle from Winchester.

I have read Quesnay's treatise & your comments with equal pleasure. I thought myself happy in finding two such advocates of an opinion which I have often maintained in conversations. I have generally found the defenders of the hypothesis that man surrenders part of his natural rights on entering into civil society, argue entirely from the matter of fact, as it is found to exist in the two states; without considering that it may, & indeed must often happen in a natural society, that individuals exercise powers which cannot be derived from natural right, such as killing their fellow creatures merely from resentment &c. and that we should always inquire in a civil society, when a power is exercised in violation of our natural rights, whether such power be really conferred on the body politic on entering into the social compact, or whether it be not, just as much an usurpation as the killing is in the other case.

It seems to have been generally admitted that men have even their natural rights better secured in civil societies, than in natural ones; that their natural rights are enjoyed with a greater extent, as Cicero says "*Legum denique idures [or ideires] omnes servi sumus, ut liberi*

1. There are several versions of this letter besides this one. The others are in The Virginia Collection of the Alderman Library. Additions in brackets are from other versions of the letter.

esse possumus'² [has never been contradicted]; and I could never yet be convinced, that man on entering into social relations gave up any portion of his natural rights, in order [as is commonly said] to secure the residue. They who affirm that he has relinquished this portion, say, that in a natural society, individuals may lawfully exercise the right of killing with their own hands. But in a civil society death or some other adequate punishment is equally inflicted, & all that can be said is, that the remedy is changed, which does not affect the right. But say they the privilege of applying the remedy with ones own hands is a part of the right. Denying as I do the correctness of the assertion, it cannot be overlooked that in every civil society conformable to the nature of things, a law is but the expression of the general will, and that general will being conformable to the ways of justice, is the will of each particular individual who thinks justly; whatever then, is done by a general law, is as much in conformity to the will of a just man, as if he himself had dictated the law; and every punishment inflicted on the perpetrator of a crime by such law is as much his act as if he himself had inflicted it, and if he does not think as a just man he could have no more right to gratify such a will in a natural, than in a civil society, since there is no state, in which a man can have a right, to do wrong. And all that the right of inflicting punishment with our own hands can be worth, is the pleasure of gratifying the will, which is better gratified in civil than in natural society, because the injured party has the cooperation of the whole community in executing his will.

The advocates of this doctrine next object, that men on entering into societies submit themselves to punishment for crimes against the body politic as such, which did not exist in the natural state, & therefore they give up a portion of their natural rights. Now to relinquish a

2. This prose sounds very Ciceronian, but the passage has not been located. Gilmer's hand is at times difficult: the word read "*idures*" is not Latin, and no Latin approximation seems to fit here.

right implies that we enjoyed it, before it was relinquished; but as there was no civil society in the natural state, & men could consequently commit no offence against such society, it is hard for me to conceive what right we relinquish, in subjecting ourselves to punishment for offences which we had neither right, nor power to commit in the natural state. But to consider the subject more according to its own nature than to these objections which tho' made, are out of nature; is it not manifest that men in a natural state have a right to govern their actions as they please, provided they violate none of the rights of others? And all the laws which are made to enable a society to maintain itself, are only to prevent such society from being subjected to the controul of particular individuals instead of that of the general will. Thus the laws against treason, are to prevent the exercise of powers not conceded by the people; and as men cannot *govern themselves* without such laws; to enact them to secure the right of self government is doing only in another way, what was previously done in the natural state, where men vindicated their right of exemption from the controul of another, by force instead of convention.

I can therefore find no right at all belonging to men in a natural state which is relinquished on entering into a civil one; and if men are less free in the latter than the former it is either because the government is an usurpation; or because a licentiousness exists in the natural state which has not the sanction of reason or of justice, & is therefore not a natural right, but a natural wrong.

Your remarks on the opinion of Hobbes that justice is merely conventional appear to me very just & satisfactory. I am sorry with you that Mr. Tracy should have adopted such an hypothesis. The doctrine of the Philosopher of Malmesbury has always appeared to me with many others of his, to spring entirely from a very bad opinion of mankind, & from a love of paradox. If Justice

be conventional I should be glad to know what governs that agreement on right & wrong; [for if it depend entirely on an arbitrary capricious will, its rules could not be so constant as they are admitted to be. 'Iustitia, est constans & perpetua,' are almost the first words I believe in the Civil Law.] Are not right & wrong, whatever we may think of them, relations in themselves absolute and independent of all convention? If so, for men to agree that certain things are just, & others unjust when their agreement cannot alter the nature of those things, is agreeing to nothing more than that men on entering into social relations may if they choose tolerate injustice, a power which no body ever denied them physically, or can ever concede to them morally. But if Hobbes contend that the *sense* of right or wrong is the effect of convention also, he appears to me equally in an error; For what is this justice whether it be conventional or not, but a fitness between a moral action & the moral good which is its end? Now what is good or bad for man depends upon his wants & organization both physical and moral; and what can best advance this good depends on the nature of things, & not upon his will. Therefore justice not being controuled by the will, but depending upon the order of nature, if the sense of justice be different from this order it is a false sense & alters not the nature of the thing itself; and if the sense be conformable to this order it cannot be merely conventional because controuled by such order; and Hooker justly says "choice there is not, unless the thing we take be so in our power that we might have refused & left it"³. But in this case justice being conformable to the nature of things, & the nature of things independent of us, it cannot be said that justice is dependent on our wills.

We have too, great authorities with us against Hobbes & Mr. Tracy. Aristotle has said man is ζῷον πολιτικόν and so indeed we have every where found him; can it be

3. *The Laws of Ecclesiastical Polity*, I, ch. vii, part 2.

supposed that a being from his very necessities subject to civil & social relations is created without a moral sense to sustain his part in those relations, before his reason is enlightened enough to direct him in his duty? There are other 'politic animals'⁵ beside man which must be endowed with certain instincts to enable them to sustain the part which as individuals they bear to the whole, for otherwise, having no reason to guide them in establishing conventional standards of moral propriety, it might be said of their political associations as Hobbes has said of the state of man before he entered into society "negari non potest quin status hominum naturalis antequam in societatem coiretur bellum fuerit".⁶ If then even insects are created with such instincts, is it any thing unreasonable [to suppose] that man whose relations to his fellow beings are so much more complicated should be endowed with a similar and an higher sense [to govern him in the twilight of his reason & contribute to perfect it? The doctrine of Justinian that nature has taught all animals their natural rights, is much more agreeable to my opinions and feelings; and what is justice but the observance of those rights?] Justinian too has said "jus naturale est quod natura omnia animalia docet, nam jus istud non humani generis proprium est, sed omnium animalium."⁷

But I am troubling you with my crude opinions upon a subject which you already have studied—I will in my first leizure hours translate the treatise of Quesnay—For a few weeks I shall be at the Bedford springs to recruit my languishing health, & may perhaps in that interval find time, if I can *retirement* enough, to pay Mr. DuPont that small piece of attention in return for his

5. In Hobbes, *English Works* (London 1839-1845), II, 3.

6. *De Cive* 1, 2, in *Opera philosophica que latina scripsit omnia*, ed. William Malmesworth, London, 1839-1845. The English "... it cannot be denied but that the natural state of men, before they enter into society, was a mere war" is in *English Works*, II, 11 (London, 1839-1845).

7. Justinian, *Institutes*, I, 2. 1. Roughly translated: "Natural right is what nature teaches all animals, for that right is not a peculiar characteristic of the human race, but of all animals."

kindness for many books & letters which he has done
me the honor to send me.

with sentiments of admiration
& esteem

Yours &c.
F. W. Gilmer

Gilmer to Jefferson

[Missouri Historical Society]

Winchester Nov. 27, 1816

Dear Sir.

I owe many apologies both to you and to Mr. Dupont for having delayed until now the translation of the treatise of Mr. Quesnay. I have however almost ever since I received it, been engaged in the courts: having recently commenced the practice of the profession, I have found the forms of judicial proceedings require much of my attention, I have too, to make my way thro' a thick rank of counsel of well established reputation, and some of them certainly of no mediocrity of abilities. All these circumstances have conspired, together with the necessity of much exercise & recreation on account of my health, to suspend almost entirely every literary labour. Even now, I have been compelled to eke out the translation on the evenings of our Chancery court, after the morning has been devoted to the irksome details of depositions, cross bills &c. I confess to you too, I was somewhat dismayed in undertaking a work entirely new to me, under the disadvantages of reading a badly written manuscript, in a foreign language, on one of the most difficult and abstruse [*sic*] branches of elementary politics. If under all these discouraging circumstances I have succeeded in any tolerable degree in giving the meaning of the author, it is all to which I can aspire. To infuse into the translation the elegant precision, and nervous brevity of the original, would require much more attention (if indeed it be attainable at all in English) than I can hope to bestow on it. I have only aimed at giving the meaning as accurately as I could, without even an attempt at grace or beauty of composition.

Will you do me the favour to read over the translation at your leisure, making such alterations as the sense, or propriety of expression seem to require, and return it

to me, that I may correct, & transcribe it for Mr. Dupont? I should not presume to ask of you this favour, if I were not desirous of addressing the translation to you (by your permission) and should regret its being entirely unworthy the patronage of your name.

If your engagements will not allow you to spare the small portion of time necessary to this revision, I must ask that service of Mrs. Randolph's¹ kindness; one which I hope she will not be unwilling, to shew an early pupil of hers in French, and who regrets that his other pursuits, and indeed his want of critical knowledge of the language, allow him to reflect so little honor on his disinterested patroness.—

accept the assurance of my admiration
and esteem

F. W. Gilmer

P.S. I do not send the French manuscript, because I am unwilling even to ask of you the trouble of comparing word with word. I only wish your correction as to the general meaning, as you retain it, from the perusal you gave the French with any verbal inaccuracies which may strike you. There is however part of a sentence the french of which I have written with a pencil at the bottom of page 5, which I have translated (except a single expression) in the first sentence of the 3d paragraph of the page. I can remember no word for the French 'surprises' which satisfies the *tact* of mind. Your complete mastery of both languages will no doubt enable you to render the meaning precisely.

1. Mrs. Thomas Mann Randolph, daughter of Jefferson, was well known for her intellectual accomplishments.

Jefferson to Gilmer

[Massachusetts Historical Society]

Monticello Dec. 17, 16

Dear Sir

On my return from Bedford after an absence of seven weeks I find here your favor of Nov. 27. I have perused with care and satisfaction your translation of Quesnay's treatise on Natural right and find not a word to alter. the sense thro the whole seems so consistent, that without having the original to collate with it, I have no doubt it has been truly preserved. the blank in the 5th page if filled by the words "obtained by surprise" and the word "perceive" in the next line changed into "recognise" will render truly the sense of the a[—]* as quoted at the foot of the page. I am in hopes it will be [pub]*lished as no[th]*ing is less understood among us than the office of legislation and its proper limits. hence the Augean stable of acts of the legislatures in all our states. I salute you with great friendship and respect.

Th. Jefferson

FW Gilmer. esq.

*Brackets replace portions lost on a torn page.

Winchester, 18th August, 1817

Dear Sir.

I am penetrated with regret at the death of your illustrious friend and I would fain call him mine—Mr. DuPont (de Nemours). It is a consolation to me that I had redeemed before his death every promise which I ever made him. His treatise on National Education¹ was translated, of which I apprized him before I heard that he was indisposed. So long as he lived his own genius preserved the freshness, & lustre of his honors and I was less solicitous, about the translation—I knew that I could add nothing to his reputation; I was unwilling to borrow any thing from it. Now that he is no more, you owe it to friendship, and I to gratitude, to do what is best for the memory of a Patriot, a Philanthropist, and a Philosopher . . . [*sic*] Direct me, for it is properly your office, what to do with the translation. If the compliment could flatter the affection of his friends, I would willingly consent to violate the dictates of my own discretion in publishing it. But you know the jealousy of French Books in the U. S., especially of such as have appeared in the last 25 years, more particularly on moral subjects, & most of all on education. The essay certainly teems with the spirit of innovation which was the fashion of the day. Innovation at present, however necessary, is not popular; and while I admire the genius & eloquence of your departed friend—I fear that the publication of his work might not be successful. I never had a hope that his scheme would be adopted; the time has not yet arrived for so philosophical a system of education. I translated it as a compliment to him, for his many distinguished favors, and as due to my friendship for you—

1. For the history of this manuscript of DuPont's *Treatise on Education* see Dumas Malone. *Correspondence between Thomas Jefferson and Pierre Samuel duPont de Nemours* (Boston, 1930), and B. G. DuPont's translation and edition of *National Education in the United States* (Newark, Delaware, 1923).

I have shown him my gratitude, & you my esteem—so if you please, let the work remain with us. You have already superseded it by a more practical plan. Before dismissing the subject however, permit me to ask your assistance in translating a single sentence, It is in a note on page 13 of Mr. DuPont's pamphlet in case you should not have the book, I transcribe the whole paragraph. "Ma brachuse oubliée, j'ai vainement tenté d'en faire adopter les principes, a [*sic*] quelques amis; presque personne n'a voulu renouveler mon expérience. On s'en est constamment tenu, dans mon pays, aux diverses variétés du bureau typographique, qui depuis soixantedix ans, sont encore des nouveautés et n'ont pas même pénétré dans les petites écoles, où la méthode de M. Choron n'a fait aussi que peu de progrès". The first sentence is obvious enough, but I do not understand to what the expression [s] "aux diverses variétés du bureau typographique" and 'sont encore des nouveautés' refer. I am also at a loss to know how to render the expression 'la chimie docimastique' in another part of the work, we have no such word as "docimastic" and the french word *docimastique* is not in the dictionaries; I have supposed it to be one of the words of the French neology, and to be derived from $\Delta\omicron\kappa\iota\mu\alpha\zeta\omega$ (exploro) meaning as applied to chemistry, *analytic*. I would not venture on my own conjecture—so please to instruct me.

I inclose for Mrs. Randolph a few seeds of the plant which has been dedicated to you, under the name Jeffersonia. It is not very beautiful but is curious, and its name will I am sure recommend it to her piety. It grows in deep, shady bottoms like the May apple [*podophyllum peltatum*].* The seeds came from Harpers Ferry, where all the regions of nature have conspired to do you honor.

Accept the assurance of my admiration & esteem

F. W. Gilmer

*Brackets in the original.

P.S. I received letters from Ticknor² lately, he always mentions his visit to Monticello with the most flattering recollections . . . [*sic*] Mr. Corr  a is in the East, he & Walsh³ have promised to be in Virginia in September.

2. George Ticknor (1791-1871), scholar and historian of Spanish literature, was then studying at G  ttingen.

3. Robert Walsh (1784-1859), critic and journalist, friend of Correa and relative by marriage of Gilmer, was later sketched in Poe's *Literati*.

Monticello Oct. 14.17.

Dear Sir

On my return from Poplar Forest Sep. 11 I found here your favor of Aug. 18 already near a month old, and I deferred answering it in the hope I should have the pleasure of seeing you here with Mr. Correa, then daily expected. he and Mr. Walsh left us two days ago, after a stay of two days only. Mr. Dupont's treatise is well worth publishing; for altho' not a practicable plan itself, it contains elementary principles which should enter into a plan of practice. whether it is most proper to offer the translation to the family, or give it at once to the press, yourself will decide. perhaps Walsh would put it into his American Register. it contains sound speculative views, which I think would be of value to the public.

You are perfectly right in your exposition of the term "docimastique" it is, as you say, from δοκιμαζω experior, examino, & means simply "experimental" and, applied to chemistry is "experimental chemistry". it is not in the antient, but is in the latter [*sic*] dictionaries, and is familiarly used by late writers.

But of the meaning of the passage you quote, I can form no satisfactory idea. "on s'en est constamment tenu, dans mon pays, aux diverses varietés du bureau typographique, qui depuis 70 ans, sont encore des nouveaútes, et n' out pas même penetré dans les petite ecoles, ou la methode de M. Choron n'a fait aussi qui peu de progrès? I have puzzled myself in vain to translate it intelligibly, or even to understand it correctly. this paraphrastic translation would be intelligible. "they have been contented, in my country with the various speculations emitted thro' the press, without trying them. and these are still noveleties which, after a course of 70 years have not yet penetrated into the smaller schools,

where even the method of M. Choron has made but little progress.”¹ this is indeed intelligible; but was it the author’s meaning? of this I am far from being certain.

We all lamented that you could not meet Correa here. but acknoleged [*sic*] the cogency of the causes which prevented it. he promises us a long visit in May, when however I fear the same reasons may still stand in your way. but I will not despair. Walsh removes to Washington & Correa is to live with him. This will add value to the American register. Our Central College looks up with hope. Cooper, I think, will accept a professorship in it. we are in quest of a Ticknor for languages, but have not yet found one. if left to ourselves we shall only be better than Wm & Mary. but if the legislature adopts us for their university, we will then be what we should be. I have considerable hope they will do it, & at the ensuing session. it will make your native neighborhood a comfortable retreat for you, when you can retire from business loaded with wealth and honor. for this you have my fervent wishes, as you possess my sincere friendship and respect.

Th. Jefferson

1. Cf. this translation with that of B. G. DuPont, *National Education in the United States*, note pp. 11-12: “One is constantly thwarted, in my country, by different forms of official formality, which for seventy years have been *novelties* and their improvements have not yet reached the primary schools, where M. Choron’s method has likewise made very little progress.”

Winchester 16. Jan. 1818

Dear Sir,

I have now the honor to inclose you the subscription to the central College. I have set about manuscript papers in some other counties with a request that they be forwarded to you Mr. Madison. Some subscriptions will be made in Hampshire.

with sentiments of admiration &c.

Yours truly

Francis W. Gilmer

P.S. one gentleman from particular circumstances has subscribed 300^l less than he at one time promised - which makes the whole amount that much less than I reported it to you.

It may not be amiss to add that the signatures are all in my hand writing - which they should not have been but for the intimacy subsisting between all the parties & myself. I have been authorised to subscribe these names.

Winchester 15. Jan. 1818

Dear Sir.

I have now the honor to inclose you the subscription to the central College. I have set about manuscript papers in some other counties with a request that they be forwarded to you or Mr. Madison.¹ Some subscriptions will be made in Fauquier².

with sentiments of admiration &c.

yours truly

Francis W. Gilmer

PS. one gentleman from particular circumstances has subscribed 300\$ less than he at one time promised— which makes the whole amount that much less than I reported it to you. It may not be amiss to add that the signatures are all in my hand writing — which they should not have been but for the intimacy subsisting between all the parties & myself. & I have been authorized to subscribe their names.

1. James Madison, fourth president of the United States, was a member of the Board of Visitors of the Central College and later of the University of Virginia.

2. Fauquier County, in Northern Virginia.

Richmond, 18th March 1818

I inclose this letter to Mr. Jefferson both because it is an injustice to Ticknor to deliver even a message from him in any other words than his own, and because I am sure it will give him pleasure to hear young Terril¹ [*sic*] thus spoken of by such a man. In the 'darkness visible' of Richmond, it is a happiness, a privilege, to be illuminated by the radiance of such a mind. If the enemies of learning in our state could feel for a moment the rapture which T. must have experienced in descending the plains of the Po—or in contemplating the everlasting monuments of Roman genius, they would lose some of their hostility to the Central College.

One object I had in view in selecting this place for my residence was, the hope of co-operating with you hereafter in the great scheme you have planned. There are many things to discourage us but for the very reason that others are terrified at the prospect, some Curtius should determine to fill up the Gulf. I have already done some service in the nomination of those who are to chuse the sites for the College.

It has been distantly, & secretly intimated to me, that in case Smith² should be appointed to succeed Dr. Wistar (which would be well for Virginia, & ill I imagine for the university of Pennsylvania) I might become his successor at W & M if I wished it. If I had any hope of being able from the ruins of this decayed corporation to revive the nearly extinguished ardor of Virginia I should be strongly tempted to make the sacrifice which it would cost me. But I fear the old college is too far gone to be

1. Dabney Carr Terrell, neighbor of Jefferson and relative of Gilmer, was then travelling in Europe and had just met Madame de Stiel.

2. Dr. John Augustine Smith, president of the College of William and Mary from 1814 probably until 1826.

resuscitated. Under Smith's empiricism &c it must soon die.

with sentiments of great esteem

yours sincerely,

Francis W. Gilmer

Monticello April 10.18.

Dear Sir

I thank you for the letter of Mr Ticknor which I have thought myself justified in communicating to his friends here on account of the pleasure it would give them, and that, I am sure, will give you pleasure. I trust you did not a moment seriously think of putting yourself behind the door of W. & M. college. a more compleat cul de sac could not be proposed to you. no, dear Sir, you are intended to do good to our country, and you must get into the legislature; for never did it more need the aid of all it's talents, nor more peculiarly need them [than] at the next session. for altho' the prospect of our university is so far good, yet all is to go again to the legislature, & who can tell who they will be, and what they will do. The Visitors of our college meet on the 11th of May; Correa & Cooper will then probably be here. make you the 3d & be assured of the pleasure it will give to them & to

yours affectionately

Th. Jefferson

Gilmer to Jefferson

[Missouri Historical Society]

Richmond, Nov. 26, 1818

Dear Sir.

I have heard with great pleasure of your convalescence. by winter you will be quite well to enjoy the triumph of the university which is now beyond all danger.

It is highly probable that you will be consulted by friends from Philadelphia as to a successor to Dorsey¹ & our excellent friend Doctr. Wistar. Should you be—I must beg of you to converse with Colo: Randolph² on the pretensions of Doctr. Watson³ of this place. He knows him as well as I do—& as a physician & anatomist better than I can. He is every way superior to Smith of Williamsburg who was spoken of in preference to Dorsey.

Watson is so modest, & so little known that I have felt the liberty I take with you in some degree due to him—& extorted from me. The motive I am sure will excuse me to you.

most respectfully

yours & c

F. W. Gilmer

1. John Syng Dorsey (1783-1818), anatomist and surgeon. In 1816 he was elected to the chair of materia medica in Philadelphia; in 1818 he succeeded Dr. Wistar in anatomy.

2. Thomas Mann Randolph, Jefferson's son-in-law.

3. Evidently Dr. George Watson, original member of the Medical Society of Virginia, and educated at Philadelphia, Paris, and Edinburgh (cf. Wyndham B. Blanton, *Medicine in Virginia in the Nineteenth Century* (Richmond, Garret & Massie, 1933), and *Virginia Magazine of History & Biography*, XXIX, p. 130.)

Richmond, 23. June, 1819.

Dear Sir.

It is never without self-reprehension that I make a request which can for a moment draw your mind from the great concerns in which it is constantly engaged. But you are the only person living who can answer a very interesting question which has arisen in the general court. A citizen of Virginia has been indicted before that tribunal for a felony committed in George Town in the district of Columbia. Both the court & bar are at a loss to understand the real meaning of the statute on which the indictment is founded. It was first reported in June 1779 by yourself, Mr. Wythe and Pendleton, in these words.

“a bill concerning treasons, felonies, & other offenses committed out of the jurisdiction of this commonwealth”

§ 1. “Be it enacted that all high treasons, misprisions & concealments of high treasons and other offenses except piracies & felonies committed by any citizen of this commonwealth in any place out of the jurisdiction of the courts of common law of this commonwealth, and all felonies committed by citizens against citizen [the case before the court]* in any such places other than the high seas [in which case jurisdiction was given the U. S. by 9th art: of the Confederation]* shall be inquired, tried heard, determined & judged before any one or more of the judges of the high court of chancery together with any two or more of the judges of the general court at such time and place within the commonwealth as shall be limited by summons to be sent to all the judges from the governor after the common course of the laws of this land used for the like offences com-

*Brackets in original.

mitted within the body of a county" [Report of Commee of Revisors, ch. 66]*

The bill was not enacted into a law until 1786. when jurisdiction of such cases was given to the general court, in other respects the bill remained unaltered.

I do not suppose the revisors could have designed to punish offences committed in foreign countries competent to enforce their own laws, but to remedy a particular defect in our own system when the bill was reported & passed.

Under the colonial government maritime felonies were tried in a court of admiralty constituted by a commission of oyer and terminer issued by the Provincial governor. The revolution put an end to this mode of constituting courts of admiralty, and the general court by its original constitution never had jurisdiction of such offenses. When our admiralty court was established in conformity with your bill in 1779, jurisdiction was expressly taken away in all capital offences. Hence maritime felonies punishable capitally were within the jurisdiction neither of the general nor of the admiralty court; and piracies & felonies on the *high seas* only were left to the federal government; all crimes therefore committed on our bays & navigable rivers would have gone unpunished but for this statute. Now I suppose the bill you reported [enacted 1 Rev. Code c. 136§]* was designed to embrace precisely such cases as were excluded from the admiralty jurisdiction, and not offences committed in the body of another state or country: which would be against the first principles of legislation and the fundamental axioms of sound politics.

Your recollection of the state of the colony in reference to the law, and of the object of the revisors with any details your leisure may permit concerning the revision, will be very gratifying to me & useful to the profession; the more so as another revision is now going on,

*Brackets in original.

and it is very desirable to have the statute understood before it is re-printed.

I omitted to thank you for Tracy's book which you were so good as to send me. I have read it with edification & pleasure, it adds to the many favors for which I was before obliged to you.

I pray you accept my thanks & best wishes for your health & c.

F. W. Gilmer

Jefferson to Gilmer

[Alderman Library]

Monticello June 28.19.

Dear Sir

I recieved yesterday your favor of the 23d and am sorry it is not in my power to give you the smallest degree of information on the enquiries it contains. it is now 40 years since we worked on the Revisal, and the particular act you speak of having been in that epoch of the British statutes assigned to Mr Wythe, never fell under my consideration but merely when submitted to the Revisors. such a lapse of time and such a series of avocations from law subjects have as compleatly obliterated this particular one from my mind as if it had never been in it.

I am writing to our friend M. Correa to inform him of my movements during the ensuing season, in order to prevent the loss of his annual visit as once before happened to me. I go to Bedford this day week & continue there until the meeting of our visitors the 1st Monday of October, except a short visit to this place at our Sep. court. I hope you will be able so to time a holiday from Richmond as to meet him here. affectionately
Adieu

[no signature]

Gilmer to Jefferson

[Missouri Historical Society]

Richmond, Nov. 29, 1819

dear Sir.

Mr William B. Page of Frederick has put into my hands as counsel a long record, from which I find, that on the 3d. Augt. 1787. a judgement was obtained by yourself and Mr Eppes executors of Mr. Wayles against Col: Byrd for £96..12..9.3. and costs when assets. Mr. Page is executor of Mrs Byrd who was executrix of her husband; he will soon be able to pay the debt: the attention of counsel will not be required; it is only necessary that you should be aware of the claim and that it will be paid. It is to apprise you of these circumstances which in so great a lapse of time you might have forgotten that I write.

accept my best wishes &c.

F. W. Gilmer

Jefferson to Gilmer

[Alderman Library]

Monticello Dec. 4.19.

Dear Sir

I recieved last night your favor of Nov. 29. The suit of Mr. Wayles's extr. [*sic*] v. Byrd's representatives, I knew nothing of, having been brought while I was in Europe by my co-executor Francis Eppes decd whose executor and son-in-law Archibald Thweatt finishes the business of Mr. Eppes. be so good therefore as to pay into his hands any sum which may come to your's from Byrd's representatives.

I have had an indistinct account of a late decision of the court of appeals extinguishing all debts tainted with shaving or any other usurious operation, the effect of which it is said will extinguish the great mass of Mr. Nicholas' debts,¹ or at least put it unquestionably in his power to give a preference to his bona fide debts and creditors. I am one of these to an uneasy amount, and much interested therefore to know how far it may be in his power, as I know it is in his purpose, to give us that preference. if your vocations would give you time to let me know the pith of the decision & its bearings on my case you would render great relief to my anxieties. I have expected Correa daily, but begin to fear the advance of the season may disappoint my expectations & hopes, ever & affectionately yours

Th. Jefferson

1. Governor Wilson C. Nicholas, whose notes Jefferson had endorsed (cf. Henry S. Randall, *Life of Thomas Jefferson*, New York, 1858, III, p. 533).

Richmond, Jan'y 24, 1820

Dear Sir.

The court of appeals has given judgement in one of the usury cases [Taylor v. Bruce]* and I hasten to apprise you of the result. I should have done it with more pleasure had the decision been different. I do not understand the particular nature of the transaction in which you are indorser for Col. Nicholas. I must therefore give you an outline of the case of Taylor & Bruce leaving to you the application of the principle with a promise however on my part to answer any farther inquiries you may wish to make with alacrity & pleasure.

The appellant as admr. of E. B. Holloway brought his bill in chancery charging that the late house of Holloway & Hanserd of which the intestate was a member being pressed for money, applied to the appellee who knew their situation for a loan, which they obtained at a high rate of usury. To cover the loan from the operation of the statute negotiable notes were given with Allison and Atkinson indorsers. The bill is for a discovery of facts from Bruce & for relief from the usurious interest.

The answer denied any communication with Holloway & Hanserd for a loan & averred it to be a fair purchase of notes which were in market for a *bona fide* consideration—seeking to bring the case within the rule of Hansborough v. Baylor 2 Munf. Rep. in which it was decided that a purchase of bonds from an assignee at any discount was not usurious. A fact however existed in Taylor & Bruce which was wanting in that case and which was much insisted on in this. Bruce bought the notes of H & H from one Mertens a broker. and as it was admitted on all sides that had Bruce bought the notes from H & H directly it would have been usury—an effort was made to shew that he bought them of

*Brackets in original.

Mertens knowing him to be their agent. This fact was not admitted in the answer, but Judge Roane¹ thought was so evasively denied as to amount to an admission. Upon the case thus made out Brooke² and Coalter³ were of opinion that it was a sale of negotiable paper allowed by law—& not a loan of money, and were therefore for dismissing the bill. The court consisted of but three, poor Judge Fleming⁴ being absent by sickness & Cabell⁵ not sitting from a remote interest in the question to be decided. Judge Roane delivered one of the ablest opinions I ever heard from him—maintaining that the whole transaction had every bode [*sic*] of fraud, usury, & rapacity which any such transaction ever can have. That usury must always be collected from circumstances or the statute is nugatory & inoperative. That it was a loan of money & the negotiable notes a mere evasion—which evasion was sought to be continued & supported by a prevaricating & equivocating answer which refuted itself by the very affirmatives with which its negatives were pregnant. He was therefore for reversing the decree, and making the appellee disgorge the whole interest—being allowed the principal by the statute.

It will be remarked that the judgement of the court was pronounced by two Judges against the opinion of the third, and it has always been understood by the court that the concurrence of two will not settle the law tho' it decided the case. The principle therefore is still open to discussion. I believe Judge R.'s opinion will finally prevail. The statute is a dead letter under the reasoning of the other Judges.

So far from repealing the statute against usury under the reasoning of Bentham I think the times call for the interposition of the Legislature to bind with cords which

1. Spencer Roane (1762-1822) of the Virginia Supreme Court of Appeals.

2. Francis Taliaferro Brooke (1763-1851) also of the Virginia Supreme Court of Appeals.

3. John Coalter (1759-1839).

4. William Fleming (1736-1824), president of the Virginia Supreme Court of Appeals.

5. Wm. H. Cabell (1772-1853), ex-Governor of Virginia and at this time judge.

cannot be broken the rapacious usurers by which society is infested. This must be done by altering the nature of the evidence. Even admitting promissory notes & public stock may be fair subjects of trade or speculation, where is the impropriety of making every transfer of such property at a premium or discount very far above or below the market price at the time of the transaction *prima facie* evidence of a loan? which evidence the person charged with usury may rebut by circumstances or proof? The statute requires amendment—and I should like to have it well considered before the alteration is made. Do you know what the result of the experiment in France was, to dispense with any statutory rate of interest? The last edition of the Code civil, fixed the rate & interdicted all greater interest—which I think is conclusive that it was found necessary. The advocates for its repeal in Virginia have generally been governed by a motion quite too elementary & abstracted, that society have no right to interfere in private contracts. It has the same right that it has to prevent gaming, drunkenness, smuggling &c.

I did not learn 'till within a few days that Mr. Corrêa had ceased to act in his diplomatic capacity—he is in Philadelphia—He told me last summer that this was his last winter in the U. S. He sails in the spring for Rio Janeiro where I am glad to learn he is in high favor with his court. He has already been exalted to a high order of nobility with a title which I do not remember. He seems to anticipate, as well he may—a proud destiny for the mighty empire whose foundations are already laid in Brazil. How much it is to be regretted that they have not our institutions & love of Liberty—toleration—peace &c.

The fates have conspired against the central university—or rather against Virginia, for the defalcation in the treasury is humiliating to us all.

with best wishes for your health & happiness

your sincere friend

F. W. Gilmer

Gilmer to Jefferson

[Missouri Historical Society]

Richmond, Octr, 8th, 1820

dear Sir,

One of the last injunctions of our excellent & ever to be cherished friend Mr. Correa, was, that I should send a small quantity of the ashes of Salsola Kali¹ to Dr. Cooper, that he might learn whether it contain as much Soda when growing remote from the sea, as when contiguous to it. The season being rather far advanced for a fair experiment even when I returned to Richmond, I lost little time in preparing the ashes. I have been able however to think of no opportunity for conveying them to Dr. C. so safe, as that afforded by your grand-son² who goes to Columbia; may I therefore ask of you the favor to forward it by him. Your esteem for Mr. Correa, as well as your love of the Sciences, I am sure will interest you in the experiment.

with great and sincere esteem,

your friend &c.

F. W. Gilmer

1. The common saltwort.

2. Francis Eppes, who graduated from the South Carolina College in 1822 (cf. *Roll of Students of South Carolina College 1805-1905* [Columbia, S. C., 1905]). In a letter to Jefferson of March 12, 1821, Dr. Thomas Cooper (cf. note above), then president of the College, spoke in laudatory tones of young Eppes' ability, and said that he and the young man read Horace together between classes each day (cf. copy of letter now in the South Caroliniana Library, University of South Carolina. The original is in the Madison Papers, LXIII, No. 29).

Gilmer to Jefferson

[Missouri Historical Society]

Richmond, 15th. Nov. 1820

dear Sir

I have this moment received the farewell¹ of Mr. Correa to Virginia, to you, and to us all. I cannot so well acquit myself of the obligation his kindness has laid me under, as by inclosing his letter to you. I who know the sincerity of the sentiments it contains, can appreciate its worth. Read it, and be good enough to return it at your leisure.

with the highest respect & esteem &c

Your Friend & Sert

F. W. Gilmer

1. Cf. Correa's letter of November 9, 1820, Gilmer Collection, Alderman Library, University of Virginia, or Davis, *Gilmer*, pp. 142-143.

Poplar Forest Nov. 29.20.

I thank you, dear Sir, for the communication of Mr Correa's letter, affectionate to us all, which I now return. no foreigner, I believe, has ever carried with him more, or more sincere regrets of the friends he has left behind. as he embraced in his affections our country generally, I hope his kind recollections will efface the little dissatisfactions he felt with our government before they can have any effect on the amities of the two countries. I think the events in Portugal, and possibly the effects of their example on Brazil, may yet disturb his purposes, & perhaps his destinies. while our duties oblige us to wish well to these revolutionary movements, they do not forbid our prayers for their favorable effects on his fortunes: and certainly in spirit he must go with them. ever & affectionately yours.

Th. Jefferson

Gilmer to Jefferson

[Missouri Historical Society]

Richmond, Decr. 10th, 1820

dear Sir.

I inclose you a little treatise¹ which I wrote in Albemarle during my summer's visit; on what is growing every day to be an important question in jurisprudence & politics. The notions of Bentham are every day becoming more popular in Virginia, and it is time the other side should be heard.

I do not know your opinions on the subject, nor do I hope to edify you at all on the matter; I send you the pamphlet in testimony of

my great respect & regard

F. W. Gilmer

1. *A Vindication of the Laws, Limiting the Rate of Interest on Loans, from the Objections of Jeremy Bentham, and the Edinburgh Reviewers.* [anonymous] Richmond, Published by N. Pollard, at the Franklin Press, 1820.

Jefferson to Gilmer

[Massachusetts Historical Society]

Monticello Dec. 26, 20

I thank you, very dear Sir, and cordially for your little treatise on usury, which I have read with great pleasure. you have justified the law on it's true ground, that of the duty of society to protect its members, disabled from taking care of themselves by causes either physical or moral, and the instances you quote where this salutary function has been exercised with unquestionable propriety, establish it's vindication in this case beyond reply. macte virtute esto, curaue ut valeas, et me, ut amaris, ama.

Th. Jefferson

Francis W. Gilmer esq.

Richmond, octr 25th 1823

Permit me dear Sir, to introduce to your acquaintance, Mr. Greenhow,¹ a well informed young gentleman, who just returning from Italy, to his native state, is desirous of visiting Monticello.

at the same time, I beg to present to you, a copy of Cicero's "Re Publica",² lately recovered by the diligence of the Abbé Mai. It is a rare satisfaction, to have it in my power to offer to so distinguished a champion of freedom in the New World, this brilliant exposition of the principles of popular Liberty, by the greatest statesman of antiquity;

Ille super Gangem, super Exauditus et Indos,
Implebit terras voce, & furialia bella
Fulmine compescet lingua,³

Cicero has more than fulfilled the prophecy. and if the Ganges, & the Indus be the patrimony of his fame, you may fairly claim the St. Lawrence & the Missouri for yours. Should the rights of mankind at last triumph over the base conspiracy of kings & bigots, your glory will no more be confined to America than that of Tully to India, or the Tiber. Life and health to you, to finish the university, where Cicero may be studied, & Scipio admired, and you be applauded, by a grateful country.

F. W. Gilmer

1. Perhaps Robert Greenhow (1800-1854), born in Richmond, a physician and linguist who graduated at William and Mary in 1816 and completed his medical education in Paris.

2. Probably: *De re publica quae supersunt edente Angelo Maio . . . Impressum Romae; denuo impressum Londini; impensis J. Mawman, 1823.*

3. Manifestly an application of Virgil's famous lines (791-800) in the *Aeneid*, prophesying the glories and far-reaching exploits of Augustus' reign, *Gangem* being substituted for Virgil's *Garamantas* and Virgil's *Indos* being retained. It is presumably an imitation by some later epic poet; the exact source, however, has not been located.

Jefferson to Gilmer

[Massachusetts Historical Society]

Th. J. to Fr. W. Gilmer

You have made me a magnificent present in the newly found work of Cicero; and the more precious, as the like is not to be had in the US. The partial terms in which it is conveyed, I duly ascribe to the friendship from which they flow. to the extended views into futurity which these present I have no pretensions. if the rancorous vituperations of enemies, made so, but bitterly so, by the unfortunate conjuncture which fated me first to enter the breach in the federal citadel, can only be reduced by time to their just estimate, it will more than fill the measure of my humble prospects. you have the good fortune to be embarked on a smoother sea. may your voyage be long, happy, and prosperous.

Monticello Nov. 25.23

MISSION TO ENGLAND

(December 3, 1823—November 12, 1824)

[EDITOR'S NOTE: Jefferson's letter inviting Gilmer to act as agent for the procurement of faculty for the University of Virginia, and to become law professor himself, is missing. Cf. Introduction.]

Gilmer to Jefferson

[Missouri Historical Society]

Richmond, Dec. 3^d. 1823

Dear Sir.

I avail myself of the first moment of leisure, to answer your letter of the 23d. novr: which requires the less consideration, because the same wish had already been intimated to me, long ago, by three¹ of your colleagues. An acceptance of the ulterior appointment, as you observe, goes to an entire change of my whole plan of life: and the prudence or propriety or making so total an alteration in all my schemes, must depend very much, on circumstances, not even yet sufficiently indicated, to enable me to decide definitively—I mean. the probable condition, and endowments of the institution, at the time of its opening. Could we certainly procure a college of professors worthy the public expectation, and the auspices, under which the university will be established, I should have little hesitation in returning you a positive acceptance. However probable it is, that we shall succeed in these respects, to the utmost, it is not absolutely certain. And if it answer the views of Mr. Madison, & yourself, and finally of your colleagues, I should prefer at present, accepting positively, only so much of the proposition, as relates to procuring professors from Gr. Britain and Ireland; leaving the other part of the offer, open for further consideration; but taking care on my part, in any event, to apprize you of my ultimate resolution, in time, to prevent any delay or inconvenience. There being no necessary connection between the two engagements, I suppose there will be no difficulty in adopting this course. Should the visitors accept my services on the mission abroad, it would I suppose be desirable, that I sail soon after the session of assembly terminates: and such a voyage naturally

1. Probably James Madison, Chapman Johnson and Peter Minor, members of the original Board of Visitors of the University of Virginia.

requiring some preparation, I should be glad of as early a notice as you can give me. In case this plan is adopted, I will of course with as little delay as I can, afford you an opportunity, by personal conference, to unfold your views fully.

The motives for secrecy cannot be stronger with the visitors, than with me; and I beg, that nothing may be known of my undertaking until all is prepared for my departure; nor then, that I am pledged to any thing beyond the immediate object of the mission. For if more were even suspected, the alternative I reserve, would cease, and an acceptance be almost forced upon me.

yours with great respect & consideration

F. W. Gilmer

P.S. Since English letters have become so generally studied on the continent, (which I hear since the late war, is every where the case) would it be well, not to limit the powers of your envoy to Gr: Br. & Ireland only? —to allow him to avail himself of any particular advantage in the selection, which might offer, on the continent, where men of letters seem more favorably disposed toward our country.

Gilmer to Jefferson

[Missouri Historical Society]

New York, May 6th. 1824

Dear Sir.

I have received both packets you forwarded. I arrived here this morning at 10 o'clock, and have already taken a berth, on board the *Cortes*, (Capt. De Cost) which sails on Saturday (the 8th) at 10 o'clock for Liverpool.

Permit me to suggest that if the Bursar has any option in the matter, he would find the Bank of Virginia more prompt and liberal in its dealings than the F[—].¹

With best wishes for Mrs. R. and the family—I pray you accept the assurance of my great respect & esteem,

Yours &c.

F. W. Gilmer

The *Cortes* is a packet.²

1. Indecipherable MS.

2. Gilmer's note.

Monticello June 5.24

Dear Sir

The printer having disappointed me in getting ready, in time to send to you before your departure, the original report of the plan of the University, I now inclose you half a dozen copies, one for Dr. Stuart,¹ the others to be disposed of as you please. I am sorry to inform you that we fail in getting the contingent donation of 50. M. D. [\$50,000] made to us by our last legislature. so we have nothing more to buy books or apparatus. I cannot help hoping however that the next session will feel an incumbency on themselves to make it good otherwise. an easy mode may occur. Wm and Mary college, reduced to 11 students, and to the determination to shut their doors on the opening of ours, are disposed to petition the next legislature to remove them to Richmond. it is more reasonable to expect they will consolidate them with the University. This would add about 6. M. D. [\$6,000] a year to our revenue.

Soon after you left us, I recieved from Majr Cartwright,² a well known character in England, a letter, and a volume on the English constitution. having to answer his letter, I put it under your cover, with a wish you could deliver it in person. it will probably be acceptable to yourself to have some personal acquaintance with this veteran and virtuous patriot; and it is possible he may be useful to you, as the favorable sentiments he expresses towards our University, assure me he would willingly be. perhaps he would accept a copy of the Report, which I would ask you to present him in my name. ever & affectionately yours,

Th. Jefferson

1. Dugald Stewart (1753-1828), Scottish philosopher.

2. John Cartwright (1740-1824), political reformer and liberal.

Gilmer to Jefferson

[Missouri Historical Society]

Liverpool 6th June 1824

Dear Sir.

Within this hour, I have arrived at Liverpool, after a voyage of 26 days from New York to Hollyhead. We were six days beating in St. George's channel, against a wind dead ahead, and it still continuing, I determined to disembark at Hollyhead, & to proceed by land thro' Wales. I was obliged to come by this place, else I should have gone directly to London. I shall remain here only long enough, to arrange some matters of business, preliminary to the object of my mission. That will detain me a day. This is sunday, and I can do nothing. The weather is very fine—one of our pleasant days in May exactly. I shall write to you from London and only write now, to apprise you of my arrival, and to offer you the assurance of my profound respect &c.

F. W. Gilmer

London. 21st. June 1824

Dear Sir,

I wrote to you at Liverpool informing you of my arrival on the 6th. Hatton lying immediately in my way to London, I determined to call on Dr. Parr:¹ unluckily for me, he had gone to Shrewsbury, and I shall be obliged to visit Hatton again, before I go to Oxford.

Since my arrival in London eight days ago, Mr. Rush² (who is soon to return to the U. S.) has been so constantly engaged, that he could do nothing for me 'till yesterday. Indeed, the persons with whom he was to act, have been equally occupied in Parliament, the session being near its close, & as with us, the business of weeks is crowded into the few last days. Yesterday, (Sunday)* I received the necessary letters to Cambridge, Oxford, & Edinburgh, from Lord Teignmouth,³ and Mr. Brougham.⁴ Sir James Mackintosh⁵ being so occupied with the London & Manchester petitions, for the recognition of the Independence of S. America, that he has done nothing for us. I have conversed both with Lord T. and Mr. Brougham: who have both taken a lively interest in the object of my mission. The latter especially is very ardent for our success.

Finding no specific objection, nor indeed any objection, to Dr. Blaetterman,⁶ I have closed the engagement with him, as I considered myself instructed to do. He will sustain a considerable loss by his removal, having recently taken, & furnished a large house. I did not

*Parentheses in original.

1. Dr. Samuel Parr (1747-1825), English classicist and educator (cf. Davis, *Gilmer*, pp. 199ff).

2. Richard Rush (1780-1859), lawyer, diplomat, and statesman, was at this time minister to England.

3. John Shore, Lord Teignmouth (1751-1859), Indian official and author of note, was president of the Royal Society of Literature.

4. Henry Brougham, later Baron Brougham and Vaux (1778-1868), literary and public figure.

5. (1765-1832), philosopher, historian, and politician.

6. Dr. George Blaetterman, later first professor of modern languages in the University of Virginia.

therefore hesitate to offer him in the outset \$1500 for the first year, with an intimation that he would probably be reduced to \$1000 in the second, but leaving that entirely to the visitors, preferring to make positive stipulations, for the shortest possible time. Nor did I hint even, any thing of the guarantee of \$2500.

Having thus concluded my arrangements in London, I shall set out tomorrow for Cambridge, where my real difficulties will begin, and where they will be greatest. I have anticipated all along, that it would be most difficult to procure a fit mathematician, and experimental philosopher, for both are in great demand in Europe. Mr. Brougham intimated, that it was by no means improbable, that Ivory⁷ (the first mathematician without rival in G. B.) might be induced to engage for us: and I should certainly have gone at once to Woolwich to see him, but he accompanied the statement by remarking, that he had recently been a good deal disordered in his mind, and unable to attend to his studies. He had recovered but there is always danger of a recurrence of these maladies. say nothing of this however, for I may find this account exaggerated, or wholly untrue, & may hereafter confer with Ivory, & possibly contract with him.

I can do nothing about the books and apparatus, 'till I have engaged professors, all that part of my undertaking, is therefore deferred until my return to London. I have seen Lackington's successors,⁸ and endeavored to impress upon them, the importance of attention, & moderate charges in their dealings with us.

You will hear from me again from Cambridge; accept therefore I pray you my best wishes,

yours &c.

F. W. Gilmer

7. James Ivory, mathematician and professor in the Royal Academy at Marlow. (1765-1842).

8. See Gilmer Collection, Alderman Library, for Lackington book list Gilmer brought home.

P.S. Blaetterman is in the prime of life—has a wife & two small children, and they appear amiable and domestic: he speaks English well, tho' not without a foreign accent; that we are obliged to encounter every way, as there are no profound English professors of modern language.

Gilmer to Jefferson

[Missouri Historical Society]

Cambridge 7th July 1824

Dear Sir.

I left London for this place on the 22d of June, immediately I had procured from Mr. Rush, the necessary letters. I found on my arrival here the same evening, that the long vacation at the university, had virtually commenced three weeks before, that is while I was at sea. of the three persons to whom I had letters, he on whom Mr. Brougham principally relied, was absent on a visit of a week. I employed the time as well as I could, in inquiring into the state of learning here, and what in this dilemma would be my best method of proceeding. I found, natural history very little attended to and should therefore be content to procure a mathematician & natural Philosopher from this university. Indeed, from what I can learn, there are no particular reasons for preferring the professor of experimental Philosophy from Cambridge. But they from whom I should have had some chance of selecting fit persons, had in all the departments of learning, gone to their various homes in different parts of the Kingdom. This puts me in some respects to great disadvantage; for I shall have to travel a vast deal to see them. as yet, I have learned but of one, whom I should probably choose, that is a Mr. Atkinson¹ formerly "angler" in Trinity Col. Cambridge, now teaching a school in Scotland. He is spoken of as a first rate mathematician, and I shall endeavour to see him in my visit to Scotland. For the teacher of ancient languages, two have been suggested, both residing in London. I defer acting on that branch, until I visit Oxford, & see Dr. Parr.

1. Henry Atkinson (1781-1829) of Newcastle-on-Tyne is the only Atkinson of mathematical distinction Trent or the present editor could discover. He did teach in Scotland but does not appear ever to have been at Cambridge.

Sir James Edw. Smith² is at the head of natural history in England, and he was in Norfolk when I was in London, as he is now. Being nearer him than I shall be again in my regular route, I shall spend part of a day with him, proceed to Oxford, & thence to Edinburgh. It seems to be thought most probable, that our professor of natural history will be best found in Scotland, or at London; tho; we shall any where find it difficult to procure one learned both in Botany & Zoology. From what I hear, our professor of medicine should probably come also, from London; but I shall form no opinion on this, until I see Edinburgh. After remaining some time at Oxford & Edinburgh, I shall return to London, as a central point, & make such excursion as I may find necessary, to complete the important object of my mission. I shall forbear to give any general opinions until I see Oxford & Edinburgh.

The manner of my reception at Cambridge has softened my profound respect & veneration for the most renowned university in the world into a warm esteem for all connected with it. From the Bishop of Bristol³ & Dr. Davy⁴, down to the under graduates, all have vied with each other in the profusion & delicacy of their civilities. I have dined more than half the days in the hall of Trinity College, the most famous of all, and was delighted with the urbanity & good breeding of the fellows, students, & of every one who appeared. The tone of feeling in England is undoubtedly favorable to us of the U. S. I have heard every where, the warmest expressions of friendship for us, and have certainly received every civility possible. At the great festival at the College yesterday, every one with whom I conversed, inquired with the utmost earnestness into different departments of our affairs. The lawyers are beginning to

2. (1759-1828) botanist and author.

3. Dr. J. Kaye (1783-1853) had become Bishop of Bristol in 1820. He had been Master of Christ's College and Regius Professor of Divinity.

4. Martin Davy (1763-1839), physician and master of Caius College, Cambridge, was an intimate friend of Dr. Parr.

read our Reports; the courts, & even the Parliament have in several things followed, confessedly, & somewhat boastfully I may say, our examples. I am very glad of all this, for now we have grown beyond the reach of this enormous creature, at once a leviathan, & a lion. there is no good in keeping alive angry feelings.

Mr. Brougham inquired about you with the greatest interest. I shall write again from oxford.

With great respect & esteem

yours &c.

F. W. Gilmer

{ about Christmas is the profinst⁵ time at Cambridge }
{ for making the selection of professors. }

[EDITOR'S NOTE: The bracketed material above was written by Gilmer in the margin of the letter.]

5. This is the clearest possible reading. Does he mean "properest?"

Gilmer to Jefferson

[Missouri Historical Society]

Hatton, July 20th. 1824

Dear Sir.

Doctor Parr (Samuel,) was delighted with your letter, and received me with the greatest kindness: I have now been two days with him. Tho' not above 76 years of age, I soon discovered, that he was too infirm, to be of much service to us in the selection of professors. Tho' he is our decided and warm friend, my interview with him has been the most discouraging. He has however been of great service, by assisting me in forming a catalogue of classical Books, for the university.

I found at oxford as at Cambridge, that professors and students, had all gone to their summer residence, and I could consequently make no inquiries at all there. I have now however, seen enough of England, and learned enough of the two universities, to see, that the difficulties we have to encounter, are greater even than we supposed; not so much from the variety of applications, as from the difficulty of inducing men of real abilities to accept our offer. By far the greater portion of any assembly so numerous as that which fills the walls of oxford, and of Cambridge, must of course be composed of persons of very moderate capacity. Education at the universities has become so expensive, that it is almost exclusively confined to the nobility and the opulent gentry, no one of whom, could we expect to engage. Of the few persons at oxford, or cambridge, who have any extraordinary talent, I believe 99 out of 100, are designed for the profession of law, the gown, or aspire to political distinction; and it would be difficult to persuade one of these, even if poor, to repress so far the impulse of youthful ambition, as to accept a professorship in a college, in an unknown country. They who are less aspiring, who have learning, are caught up at an early period in their several colleges; soon become

fellows, & hope to be masters, which with the apartments, garden, and 4. 5. or 600 £ sterling a year, comprises all they can imagine of comfort or happiness. Just at this time too, there are building at Cambridge, two very large colleges attached to Trinity, and King's which will be the most splendid of all. This creates a new demand for professors, and raises new hopes in the graduates.

all these difficulties, are multiplied by the system we have been compelled to adopt, in accumulation [*sic*] so many burthens on one professor. To all the branches of Natural Philosophy, to add chemistry, & astronomy, each of very great compass, strikes them here with amazement.

The unprecedented length of the session you propose, is also a dismaying circumstance, as this will probably be altered in time, it is I think to be regretted, that we had not begun with longer vacations. At cambridge and oxford there are three vacations. The longest is from about the 1st. July, to the 10th. october, altogether, there is a holiday of near 5 months. I inquired at Cambridge if there was any good reason for this long recess. They answered "it is indispensable, no one could study in such hot weather." — "It is necessary to refresh the constitution, oppressed by the continued application of many months." &c. If the heat is insufferable in England, what must it be in our July, August &c. when there is to be no vacation?¹

I see distinctly, that it will be wholly impossible, to procure professors *from either university* by the time you wished. Whether I can find them elsewhere in England is most doubtful, in time I fear not. I shall not return without engaging them, if they are to be had, in G. B. or Germany. I have serious thoughts of trying Gottingen [*sic*], where the late political persecutions of

1. The Regulations Adopted by the Board of Visitors, October 4, 1824, stated: "There will be one vacation only in the year [i. e., twelve months], and that shall be from the 15th day of December to the last of January." (cf. Roy J. Honeywell, *The Educational Work of Thomas Jefferson* [Harvard Press, Cambridge, 1931], p. 272.)

men of letters, will naturally incline them to us, and where classical literature at least, is highly cultivated. Dr. Parr seems to prefer this course, but I shall not be hasty in adopting it, as I fear the want of our language, will prove a great obstacle.

I find the expenses so much greater than I had supposed, and the probability of my being delayed much beyond what I hoped, amounting almost to certainty, that I fear the expenses which will accumulate about the period of my departure may be too heavy for the compensation allowed. To borrow in England would be inconvenient, and I think the board should forward a farther bill of 6 or \$700; I have delayed the purchase of the books and apparatus, chusing to confer with the several professors, on the different branches.

I set out for Edinburgh tomorrow, shall remain there as long as I find any advantage to our object in doing so, and shall return to London. There I shall be able to learn, whether I had best go to Germany, seek English scholars in the country, or quietly wait 'till the universities open in october, which would delay any final contract 'till December or January. I am not disheartened—at least we must keep things well, to present a good front to the next legislature. That I shall do if possible.

I received your letter to Majr. Cartwright while at Cambridge. I have not been to London since.

accept I pray you my best wishes &c

yours truly, F. W. Gilmer

Edinburgh aug. 13th 1824

Dear Sir.

It is now more than a fortnight since I arrived at the ancient capitol of Scotland. The first four or five days were spent, in making inquiries for persons fit for any of our purposes, but especially for anatomy, natural history, and natural philosophy, for I had well satisfied myself in England, that we could not, except by chance, procure either of the latter there. In all Scotland, from all the men of letters or science at Edinburgh, I could hear of but two, fit for any department, at all likely to accept our proposals. These were, Mr. Buchanan¹ for natural philosophy, & Dr. Craigie² for anatomy &c I made to them both, and every where that I went, the most favorable representations I could with truth, of our university. They required time to consider of our offer and to day, I have received the answer of both—they decline to accept it. You would be less astonished at this, if you knew what a change had taken place since you were in Europe. The professorships have become lucrative beyond every thing. Even the Greek professor at Glasgow, Leslie³ tells me, receives 1500 guineas a year; some of the lecturers here, receive about £4000 sterling. Beside this, we have united branches which seem never to be combined in the same person in Europe. Chemistry & natural history, or natural philosophy & astronomy, I am sure I shall not find in the same person, and I shall be obliged to try to ally chemistry to natural philosophy, & astronomy to mathematics. I have moreover, well satisfied myself, that taking all the departments of natural history, we shall at Philadelphia, New York &c. procure persons more fit for our purpose

1. George Buchanan (1790?-1852), a favorite pupil of Sir John Leslie (cf. note 3 below), later a great civil engineer and fellow of the Royal Society.

2. David Craigie (1793-1866), later a well known publisher and the author of medical journals.

3. Sir John Leslie (1766-1832), mathematician and natural philosopher.

than any where in G. B. The same may be said of anatomy &c. I shall however, set out for London tomorrow, and try what can be done there, & by corresponding with the places I have visited. a mathematician & professor of ancient languages, we should if possible find in Europe; for they, I am sure will be better than our own. Even here, the difficulty is greater than you can conceive. Proficiency in Latin & Greek are still the sure passports to preferment both in church & state; nor is the supply of men of the first eminence, or such as we must have, at all in proportion to the demand. When I came, I thought it the easiest place of all to fill: I assure you it is far the most difficult. This, Dr. Parr told me, but I thought he exaggerated the obstacles. I now believe he has not.

You apprehended, Leslie would be at best indifferent to us. He has however taken more interest in our success, than any one I have seen and been of more service to me. He promises to superintend the making of any instruments we find it necessary to procure here aye [?] —& more, he has made me a written offer, to spend some time in visiting all the famous universities & apparatus of Germany, France, & Italy; superintending the selection of a complete one for us; & passing two months at our university, to set us 'off, giving the preliminary lectures on natural philosophy, & mathematics, & organising us as far as he can. To do this, he would charge £1000, and embark in April next. I think it well to mention this, for the visitors may make something of it; and I believe if you were once to get him there, it would not be difficult to keep him.

It is time I should say something of the honor the visitors have done me, tho' I have no more materials for deciding now, than when I left you; I make my decision, only to prevent delay in your looking elsewhere. I find it so doubtful, whether we can procure such persons as I should choose to be associated with; and thinking myself bound to make my election as early as possible, that

I must say, as the case now stands, I cannot accept the honor which has been conferred upon me in a manner the most flattering, accompanied by a great mark of confidence, in appointing me to this most important mission. I shall discharge my undertaking to you, and my duty to my country, perilous as it is, to satisfy my own conscience. I will if it be possible in Europe, procure fit men; but I will rather return home, mortifying as it would be, without a single professor than with mere imposters. as at present advised, I cannot say positively, that I may not be condemned to the humiliation, of going back with Dr. Blaetterman only.

all this, is very discouraging to you, but I present to you the exact case without any diplomacy, to recommend myself, or deceive you & my employers. Should they find fault with the address of their agent, they shall at least never condemn his honesty, or doubt his fidelity. My address (such as I possess) I shall reserve for my negotiations here.

This condition of affairs requires all, & much more than my fortitude—it mars all the pleasure of visiting G. B. tho' in my letters generally, I preserve the appearance of good spirits & success, because I always look to the legislature—I shall be happy if we can succeed, & miserable to return without fulfilling all that you desired

yours most truly,

F. W. Gilmer

P.S. I assure you Leslie will receive any communication from you, as an honor. He is by no means hostile to Virginia—he speaks often of Col. R.⁴ with the warmest interest.

{ x Say of P[aris?] I have heard is well acquainted }
{ with nat. history. }

[EDITOR'S NOTE: The bracketed material above was written by Gilmer in the margin of the letter].

4. As a young man Leslie had been a tutor in the Randolph family in Virginia.

Gilmer to Jefferson

[Missouri Historical Society]

London, 27th. aug. 1824.

Dear Sir.

My last letter from Edinburgh gave you so gloomy an account of our prospects, that I hasten to relieve the picture. When I saw needy young men, living miserably up 10 or 12 stories, in the wretched climate of Edinburgh reluctant to join us, I did not know where we could expect to raise recruits.

While at Cambridge, I became acquainted in Trinity College, with an intelligent & fine young man,¹ distinguished even at Cambridge for his mathematical genius & attainments, & M. A. of that university. He is the son of an eminent physician of London, & I hardly hoped we should induce him to go with us. I have however done so, & am delighted to find him a great enthusiast for the United States, and exactly fitted to our purposes in every respect. Securing him is a great matter, for he has a high character with the young men who were with him at Cambridge, & he will assist in procuring others. already he has suggested the most fit person for the classics, and I am inquiring of others about him.

The departments of anatomy, natural history, and nat. philosophy will then only remain. I have had more persons recommended for anatomy than for any other place; but immediately they find they will not be allowed to practise medicine &c. abroad, they decline proceeding farther. That I fear will prove an insurmountable obstacle to us in this department. In the other two, I shall have great difficulties, and far from being harassed by applications, I cannot hear of any one at all likely to answer our purposes. With a good classic, an able mas-

1. Thomas Hewett Key (1799-1875), first professor of pure mathematics in the University of Virginia.

ter of experimental science, and Key for our Mathematician we shall be strong whatever the rest may be.

The books & apparatus now occupy me very much: at the same time I am corresponding with all parts of the Kingdom, about professors. on returning to London, I received two letters from my venerable friend Dr. Parr, and another from his grand-son, (who will be his executor,) proposing to sell us the Doctor's library entire, at his death. It is a rich, & rare, & most valuable collection of the classics, but I wrote to them, that the amount would be greater than I could apply to this single department; I promised however to suggest it to the visitors, and if they please, they can enter into correspondence on the subject. If so, they should write to "The Rev.^d John Lynes," at Elmley Lovett, near Stoweport, Worcestershire". It would give some eclat perhaps to our institution to have the Doctor's Library.

I am not without hope of opening the campaign in February, with some splendour. I know the importance of complete success, with the next legislature, & shall consider that in every thing I do.

I have been seeking Ivory all over London, but such is the state of Science among aldermen & "freemen," that no one can tell me where he is, or ever even heard of him: and in Edinburgh, I found a splendid monument to Lord Melville, & none to Napier or Burns: in Westminster Abbey there is none to Bacon, or Blake: but a great many to state & ecclesiastical impostors.

I shall write more at length as soon as I have done more, I wrote this only to allay your apprehensions excited by my last.

I have seen Maj^r Ct. who is old & infirm. Dugald Stewart has lost the musick of his eloquent tongue by paralysis: he lives near Linlithgow about 20 miles from Edinb. is averse to company, and I therefore inclosed your letter with a card expressing my regret, that the

state of his health should deprive me of the honor of his acquaintance.

Dr. Parr was delighted with your letter, & will no doubt give me one for you.

Yours most truly &c.

F. W. Gilmer

Gilmer to Jefferson

[Missouri Historical Society]

London, 15 Sep^r 1824

Dear Sir.

I have given you so much bad news, that I determined to delay writing a few days, that I might communicate something more agreeable.

When I returned from Edinburgh, where my ill success, is in part to be ascribed (I am well assured,) to the ill will of some of our Eastern Bretheren,¹ who had just before me, been in Scotland, I determined to remain at London, as the most convenient point for correspondence; Here, assisted by Key our mathematician (with whom I am more pleased the more I see of him,) and several men of character & learning, I have been busily engaged since I last wrote. I have had the good fortune to enlist with us for the ancient languages, a learned and highly respectable Cantab². but there have been two obstacles, that have made me pause long, before I conclude with him. He has no knowledge of Hebrew, which is to be taught at the university. This I easily reconciled to my duty, from the absolute necessity of the case. oriental literature is very little esteemed in England, and we might seek a whole year, & perhaps not at last find a real scholar in Latin & Greek, who understands Hebrew. The other difficulty is more serious. Mr. Long the person I mean, is an alumnus of Trinity College, Cambridge. He is entitled to his fellowship, only on condition of his presenting himself at the meeting, in the first week of July next: failure to do this, no matter under what circumstances, will deprive him of about £300 *per annum*. That would be a great sacrifice. Still he seems to me so decidedly superior to his competitors,

1. There are several references in the Gilmer correspondence to the hostility of Americans from the Northern states to Gilmer's mission (cf. Davis, *Gilmer* pp. 241-242, 230. For hostility expressed in the newspapers see W. P. Trent, *English Culture in Virginia* (Baltimore, 1889), pp. 119-121.

2. George Long (1800-1879) became first professor of classical languages in the University of Virginia.

who do not lie under the incapacity of being of clerical character, that I believe I shall not be faithful to my trust, if I do not engage him, with a reservation of the privilege of being at Cambridge, for a week *only* in July. That is my present impression, and very strongly fixed. Tho', there was another most competent professor I could have, but for his being a clergyman.

The professor of anatomy &c.³ is a very intelligent & laborious gentleman, a Dr. Dunglison now of London, and a writer of considerable eminence on various medical & anatomical subjects.

The professors of natural philosophy & of natural history, still remain to be procured. I despair of finding Chemistry with natural history. It may go with natural philosophy, especially as the mathematician can take astronomy, or it may belong [to] Dr. Dunglison, who is very desirous of having it with his department.

Another week will inform me, what can be done about the two vacant chairs.

The library & apparatus, have given me great difficulty & trouble. I delayed as long as possible, speaking for them, to have the assistance of the professors. But the time for shipping them now presses so close, I have made out a catalogue of such as we must have, and have ordered the books & instruments, to be shipped as soon as possible. The present aspect of affairs assures me, we shall be able to open the university on the 1st of February as you desired.

The professors vary in age from about 26 to 43 or 4. Blaetterman is already married, and by a very singular coincidence, wholly unknown to me at the time, each of the others, tho' now unmarried, will take out a young English wife. Tho' if they would take my advice, they would prefer Virginians: notwithstanding Dr. Parr has engaged to marry me in England, without his fee, which here is often considerable.

3. Dr. Robley Dunglison (1798-1869), medical writer and teacher, was later a pioneer in the systematic teaching of physiology.

Having already declined the honor so flatteringly conferred upon me, I no longer feel at liberty to express any wish upon the subject. But really everything promises to make a professorship at the university one of the most pleasant things imaginable.

I have had no assistance (I wish I could say that were all) from a single American now in England. Leslie in Scotland, and Dr. Birkbeck⁴ (cousin to the Illinois [*sic*] B——k⁵) of London, have taken most interest in the matter. Mackintosh is too lazy for any thing, & Brougham's letters I found introduced me to eminent men, but they never took the right way, or to the right means for us—they talk of plate, furniture &c. for the pavilions, while we want men for work. I have had but a single letter from America, that gave me the very agreeable news, that you were all well in albemarle

yours very truly

F. W. Gilmer

[EDITOR'S NOTE: The following postscript is on back of letter and written upside down].

P.S. There is a certain Mr. Whitlow about to embark for the U. S. who may attempt to practice some deception on you. He pretends to be a botanist—I saw him in Virginia some years ago, and knew him to be, what he passes for here, a very Charlatan—pray beware of having any thing to do with him, whatever recommendations he may have; & by no means suffer his name to be connected with the university, even by allowing him to exhibit his mountebank preparations.

4. Dr. George Birkbeck (1776-1841), friend of Brougham and Jeffrey, was much interested in public education. He was one of the founders of the University of London, an institution paralleling in growth and idea the University of Virginia.

5. Morris Birkbeck (1764-1825), Illinois pioneer and publicist, published *Notes on a Journey in America from the Coast of Virginia to the Territory of Illinois* (Boston, Philadelphia, and London, 1817).

Gilmer to Jefferson

[Missouri Historical Society]

London, 16. Sep^r. 1824

Dear Sir

This is to recommend to your favorable reception, Dr. Dunglison, our professor of anatomy, &c. I have already mentioned him to you in a previous letter, as a man of talents, well acquainted with the branches he is to teach, & a writer of eminence on medical & physiological subjects. In addition to all that, he is highly amiable, and will be an accession to our society.

with great respect & esteem

yours &c.

F. W. Gilmer

Gilmer to Jefferson

[Missouri Historical Society]

London 4th Octr 1824

I have made only the following draughts on Gowan & Marx¹ on account of the university—none of the money having ever passed thro' my hands. viz;

20th Sep	£80.0.0
29th Sep.	21.16.6
1st octr - -	1129.7.6.
do—	50.0.0
do.	50.0.0
do about	205..15.0 to Cary optician
3d octr	50.0.0
do	50.0.0

The balance is still in the hands of the Bankers, & several of these sums I know have not yet been paid.

F. W. Gilmer, atty for the University

1. A London firm acting as agents for the University's books.

Monticello Oct. 12.24.

Dear Sir

I have written to you but once since you left us, which was on the 5th of June, and have recieved duly yours of June 6, 21—July 7, 20, Aug. 13 and 27.

In that of July 20 you mentioned the possibility that you might be detained longer than we had expected, perhaps to Dec. or Jan. and wished a remittance of 6 or 700 D. [\$700] for expences, if lengthened as possibly might be. This, with your other letters (at that time received) was communicated to the Visitors at their session of the 4th instant. in the present state of their funds they could do nothing more than express their willingness that you should take this from the monies placed in your hands for books, apparatus &. they would deeply regret that any difficulty of this kind should withdraw you from your post, *re infectâ* [*sic*] and have more at heart your ultimate success than the time of your stay or mode of employing this pecuniary deposit, necessary to ensure it.—your idea of going to Germany for Professors is not approved. the science of a Professor would be of little importance if he has not the easy and copious use of language to communicate it. we think Ireland a better recourse, were England and Scotland to fail. the greatest of all misfortunes would be your return without any. it would produce in the mind of the legislature a belief that the enterprise had proved abortive, and they would drop it where it is. The public too considering our prospects as at an end, would give up the high expectations with which they had looked to us, and send their youth elsewhere as heretofore. our opinion is therefore that if you cannot get men of the first order, of science, it would be better you should bring the best you can get, altho' of secondary grade. they would be pref-

erable to secondaries of our own country, because the stature of these is known to be inferior to some in other seminaries; whereas those you would bring would be unknown, would be readily imagined such as we had expected, and might set us agoing advantageously, until we could mend our hold.—in your letter of Aug. 13 there you state as a difficulty our having united branches of science which never had been combined in the same person in Europe, such as Chemistry and Natural history (of which last mineralogy is a branch) or Natural philosophy and astronomy (both belonging to Physico-mathematics) it seems not to have occurred to you that altho' we had provisionally, formed the sciences into groupes [*sic*], associated in their character, we expressly declared them interchangeable among the Professors, to suit their respective qualification.—to the objection of the length of our session we must be unyielding; because holidays for a month or two at a time, and 2 or 3 times a year, requiring nearly as much time after each for the student to recover his lee-way, would never be tolerated in this country. we see no reason why the laborer in the field of Education should require such respites more than those in Law or Medecine [*sic*]; and especially when we require of the first of these only 2 hours every other day.—your letter however of Aug. 27 has quite revived our spirits and reestablished our hopes. a good Professor of modern languages secured a good classical one in view, an able mathematician engaged; nothing more remains of importance but a natural philosopher of high grade. he is truly so [*sic*]. probably one of these will be a chemist. Zoology & Botany we can well supply here; and if you cannot procure a Professor of Anatomy of high qualification, we can suspend that school to a more favorable time. it is the one we are least prepared for, and may best omit for awhile; and you know indeed that we had, at one time, determined to pretermitt it in the beginning, and were induced to change our mind merely because of the advantageous

opportunity of your mission to obtain a Professor of the highest order of merit, and unless you can do this we will begin without it.—come then with those I have named, and we shall be strong enough. but prefer delay to disappo^{mt} for altho' we have counted on opening the 1st of Feb., yet an able and splendid opening at a later day, would be preferred to an early and defective one. for delay we can find excuses, but disappointment would be an abyss to all our hopes.—such names as Ivory and Leslie would indeed set us up at once, if to remain permanently with us. but, leaving us after a short stay, we should be considered by the public as bewidowed, and fallen from our high estate. I am very much pleased by your testimony of the friendly interest Mr. Leslie has taken in your mission. the semibarbarous state of this country, when he was here, was such as might well disgust one of his large views of science. I remember enough of that myself. but I think there are circumstances in our situation now which would engage his approbation and best wishes in our favor.—I received a letter from Mr. Blaetterman saying that if his books were to pay duty he should be obliged to leave them. I immediately stated to the proper department of our general government the peculiar injury it would do us, without books as we are, to be deprived of those of the Professors. they did not see fit to make a general rule, but assured me that they would give, in Richmond, a particular order of exception of their books in this special case, as a part of the baggage attending their persons. I will take care therefore that, if they land *there*, their books shall be passed free of duty. our duties on books in English are almost a prohibition.

I informed you in my former letter that we had failed to recieve the donation of our legislature of 50 M. D. [\$50,000] of the debt of the US to our State. altho' we do not despair of it, we have no definite view how and when we may get it. your return during the session of the legislature, with the cortege, so anxiously desired,

would have a triumphant effect on them. it would dispose them to provide some resource for anticipating this donation, and take on themselves the risk of the final issue of a settlement with the U. States.

The public papers will have informed you of the universal delirium into which all orders of our citizens are thrown, by the visit of Genl Fayette [Lafayette]. he is to visit Montpellier and Monticello within about 3 weeks, and to accept a public dinner in our University. The Rotunda is sufficiently advanced to recieve him. besides the good effect which this exalted enthusiasm will produce for the General, in Europe, personally, it will have an excellent one here. every occasion which rallies us to a single object, rekindles our union in mutual affection and strengthens the habit of considering our country as one and indivisible.

We hope that the idea expressed in your letter of Aug. 13, of declining the election of a station in our university, was based only on the contingency of your failure to procure such persons as you would chuse to be associated with? and that this contingency not happening, we are relieved from the danger of this affliction. a more serious one, I assure you, we could not incur.

We have tried, without success to get from England Russel's views¹ of the system of education in the Universities of Scotland, with an appendix as to those of England; printed on [in] Edinbg in 1813, pray procure it for us, and without fail—Continue to write to me by every packet. your letters have much effect in keeping alive the public expectation and interest in our progress.—all your friends here are well, and, except the presidential question, there is nothing publicly interesting. that question will surely lie between Crawford and Adams; and whether it will go into Congress is still uncertain. I salute you with affectionate friendship and respect.

Th. J.

1. Russell, Rev. Michael, *A View of the System of Education at Present Pursued in the Universities of Scotland . . .* (Edinburgh, 1813).

PROBLEMS OF THE UNIVERSITY, GILMER'S
PROFESSORSHIP, AND SEARCH
FOR HEALTH

(November 12, 1824—January 24, 1826)

Gilmer to Jefferson

[Missouri Historical Society]

New York. 12 Nov. 1824

Dear Sir,

I have just arrived in 35 days from Cowes, of continued tempest, emaciated to a shadow, not by sea sickness only, but by the bitter aggravations of a violent fever the whole way, exasperated by want of a physician, of medicine, of food, of rest, & of attendance. I shall be here some time to recruit.

I am happy to inform you, I have engaged all the professors but for the chair of natural history. They will all arrive in ten days from this time. They will be

1. Tho H. Key mathematics
 2. George Long anct Languages
 3. Geo. Blaetterman modern Langs
 4. Robley Dunglison anatomy &c
 5. Charles Bonnycastle¹ (son of the mathematician)
- Nat. Philosophy:

Dr. Dunglison is desirous to add Chemistry to his lectures. I have followed your outline however in the contract & left alterations to the visitors. I could hear of not a single man in all G. B. at all fit for our purposes in Nat. history. We can procure a much more fit person in our own country, than any I saw.

I intended to make out a formal report on the voyage, but was in my berth all the way: & now I am confined to my room.

I write with pain, so excuse this.

yours truly &c.

F. W. Gilmer

1. Died 1840. He was the first professor of natural philosophy, and later professor of mathematics, in the University of Virginia.

Gilmer to Jefferson

[Missouri Historical Society]

New York, 13 Nov. 1824

Dear Sir.

I wrote you a few words yesterday merely to apprise you of my arrival. I am likely to be confined here with the Doctors some weeks, God knows how many, and now send you a letter from Dr. Stewart whom I did not see, for his state of health made it improper to call on him: & another from T. Campbell¹ the Poet. all Campbell expects is, the patronage of the university & of yourself for his young friend,² whom he represents as a first rate scholar, & he is a most competent Judge. I hope you will write to him as soon as your leisure will permit, I found him the best friend Virginia had, among the writers of G. B.

I have a large packet for you from Maj^r Cartwright who died while I was in London: but it is still on board the vessel, & my situation will not allow me to clear my baggage. neither can I send you the catalogue of books & apparatus which together with the advances made to four of the professors, left a balance of about £160 in the hands of our Bankers. I directed the drawback to be secured on the books, so you will have about £200 for omitted articles.

The person most fit for natural history & chemistry is, John Torrey³ Prof^r of Chemistry at West Point, New York. I consider my functions at an end on landing, but I shall endeavour to learn whether he would accept the chair which I believe he will.

I was obliged to give the professors the whole \$1500 except Dr. Blattermann, & I think he should be put

1. Thomas Campbell had a brother in Richmond to whom Gilmer carried a letter.

2. One of the new faculty?

3. John Torrey (1796-1873), botanist and chemist, at this time professor of chemistry, mineralogy, and geology in the United States Military Academy.

on the same footing with the others, being the only exception.

I am too weak to write more.

most sincerely yours &c

F. W. Gilmer

Monticello Nov. 21.24.

Dear Sir

The pleasure which I recieved from the information of your letters of the 12th & 13th announcing your arrival in N. York was much abated by the state of health in which they represented you to be. fevers are rarely of long continuance, and I hope yours will not be so. you do not mention at what port our Professors will arrive. I am in hopes it will be at Richmond, and I this day write to Colo Peyton¹ to ask his attentions and care of them. I had recieved a letter from Mr. Blaetterman enquiring whether his books would be liable to duty, and saying, if they would be, he should be obliged to leave them. I hope he has not done so, immediately on the reciept of his letter, I wrote to the Collector of Richmond, stating the grounds on which I apprehended that the books of an emigrant were a part of his baggage, and as such exempt from duty. he inclined to think so, but not being decided, I wrote to the Secretary of the Treasury urging the grounds of exemption; and from the Comptroller, to whom it was referred, I recieved an answer. he thought with me, but without making a general decision, he said that if I would inform him of the port they would arrive at, he would give instructions there as to the special case. as soon as I know their port, I will procure the instructions. your presence here would have been a great aid to me in settling every thing for the Professors to their mind. our Hotels are all engaged by house-keepers of the most respectable character. but none of them are yet in place. I am endeavoring to get one to come immediately, with whom the Professors may diet until they can fix themselves. There will be a moment

1. Bernard Peyton, Richmond commission merchant, transacted during the latter part of Jefferson's life most of his business in that city.

of difficulty with them in getting furniture for their immediate lodging &c. I hope your fever will soon put it in your power to join us and aid in their accomodation. I wrote to you on the 12th of Oct. but expect you sailed about that time.

Yours affectionately,

Th. Jefferson

Jefferson to Gilmer

[Alderman Library]

Monticello Nov. 22 24.

Dear Sir

I wrote to you yesterday in answer to yours of the 12th and 13th and today I recieve your letter of Sep. 15. from London which gives me many particulars, all acceptable except one: that where you speak of having declined your appointment here. we have never so considered any thing recieved from you, and hope you will not think of it. it would be, I assure you, a severe affliction to us; indeed a very severe one. my uneasiness at this suggestion induces me to answer this single part of your letter, and with my hopes that you will not desert us, accept the assurance of my great friendship and respect

Th. Jefferson

Dear Sir

Monckton Nov. 22 22

I wrote to you yesterday in answer to yours of the 12th and 13th and to day I receive your letter of Sep. 15. from London which gives me many particulars, all acceptable except one: that where you speak of having declined your appointment here. we have never so considered any thing received from you, and hope you will not think of it. it would be, I assure you, a severe affliction to us; indeed a very severe one. my uneasiness at this suggestion induces me to answer this single part of your letter, and with my hopes that you will not desert us, accept the assurance of my great friendship and respect

W. Jefferson

Gilmer to Jefferson

[Missouri Historical Society]

New York 28th Nov.^r 1824

Dear Sir.

Dr. Blaettermann will arrive in the Trident, bound from London, to New York, & I wonder he is not in.

The other professors will arrive in the Liverpool Packet of the 16th octr. at New York also, & that too, must be here in a few days.

My health is still so low, & my future strength so precarious after such a continued & dreadful shock, that I could not with propriety give a positive acceptance even now, of the offer made me. I shall never hold a sinecure, & if I should be too feeble for the laborious duties of the office, it would be wrong for me to take the salary. I will if my health permit, give a positive answer in a fortnight. Meanwhile, I have been inquiring here, for a more fit person, should I be obliged to decline the proposal.

I have little hope of leaving New York in a fortnight, if indeed my malady in its mortal symptoms is eradicated. My only comfort has been, that so far, my lungs remain sound.

I still write with inconvenience, in my wrapper and arm chair: & I am close-housed, & rigidly starved.

Dr. Parr did not write to you from age & infirmity, he said he should & sent by me many things too flattering to be communicated.

The large packet from Majr Cartwright, on examination, seems to contain trinkets, which I fear to trust to the mail, & therefore I have detained them.

yours most truly

F. W. Gilmer

Jefferson to Gilmer

[Alderman Library]

Monticello Nov. 30, 24.

Dear Sir

By your letter of the 21st. to Col^o. TMRandolph I learnt with sincere regret that you were still confined by your illness. I am quite impatient to see you here. we hear nothing yet of the arrivel of our Professors, and not knowing at what port they will arrive, I am unable to apply to the Government for instructions to the Collector of the port not to require duty on their books. you said in your letter of the 13th. that you would take measures to know whether Torrey would accept our chair of Nat. history. as soon as you can inform me on this point we must have a meeting of the Visitors, to name this Professor and one of Ethics; for I hope in god we shall not have to name one of Law, and that you will not mutilate our establishment by your desertion of it in [*sic*] the threshold. I have informed the Visitors in the Gen^l. assembly that as soon as I can hear from you I will notify them to agree on a meeting on as early a day as practicable, that we may compleat our roll of Professors, & give notice that the institution will be opened with certainty on the 1st. day of February—with fervent prayers for your speedy recovery, and the hope of an assurance from you that you will not decline your situation in the University accept my affectionate salutñs.

Th: Jefferson

Gilmer to Jefferson

[Missouri Historical Society]

New York 30th Nov. 1824

Dear Sir.

I observe from the paper, that both the Trident & the Columbia (Liverpool packet) have just arrived at this port, and no doubt our professors with them; but being too ill to be of any service to them, I may not perhaps see them. They could not at the time procure a passage to the Chesapeake.

It may be of use to you in making fixtures for their reception to know, that,

Blaettermann has a wife & child

Key and Dunglison are just married

Long & Bonnycastle are unmarried.

I procured all the Anglo Saxon books (I believe) in your catalogue, & one or two more, which make the Library complete in that branch. our mathematical Library is superior to any I saw in G. B. and yet it was not expensive. The Classics, & books of modern Literature were the heaviest items in the account.

I found Lackington had long ago failed, tho' the name "Lackington's" is still retained at his old stand in Finsburg square. The house has two or three times changed hands, and I was not all pleased with the present proprietors, Mavor, Lepard & Co. Their prices were the highest of three to whom I offered the catalogue. Dr. Parr told me I should by no means deal with them. He recommended me to two Booksellers. I saw both, he with whom I was best pleased, died very suddenly of eating fruit, (enough to kill any one in England.) and I purchased all our books except the Syllabus of the Cambridge Lectures, of "Bohn¹, Bookseller, 17 Henrietta Street, Covent Garden". Should they turn out as well as

1. H. Bohn offered to underbid any other bookseller in London (cf. his letter of September 7, 1824, to Gilmer, Robertson Papers, Alderman Library, University of Virginia).

I hope, his address may hereafter be of use to you. He is the most intelligent of them all.

I hope the Legislature will not set up Wm & Mary to divide the state, which would be a sort of fraud upon our Professors.

My health improves very slowly, but improves.

Yours most truly

F. W. Gilmer

I suppose I mentioned in my letter from London, that after parrying the matter every way I could, I found myself obliged to allow the whole \$1500 to all but Blaettermann. He should not I think be a solitary exception, & I hope the visitors will place him on the same allowance with the others.

another circumstance that perplexed me a good deal, was the necessity Long is under, to be at Cambridge the first week in July next, or he loses near £300 ^{ster} per ann. This seemed too great a sacrifice, and I preferred the permanent interests of our institution to the temporary. It is only next year he must be there, and I have left it to the visitors to allow a reasonable time, & he is to receive no fees of students for the time he is absent.

F. W. G.

Since writing this Dr. Blaettermann has called to see me. He tells me that the other Professors changed their mind & have sailed in the Competitor from London directly to Norfolk, of which I am glad. I have advised Dr. B. to leave his books &c 'till you can negotiate their exemption from duty. He will set out for Virginia in a few days.

New York Dec^r. 3^d, 1824

Dear Sir.

During my illness, which still confines me to my room, I have sounded Torrey, as to the Professorship of natural history. with very high expectations from the university, he for particular reasons prefers West Point. The next best person I can hear of, and undoubtedly superior to any I saw in G. B. is Dr. J. P. Emmet¹, son of the eminent counsel of New York. He I find will accept it with alacrity. He is an excellent chemist, mineralogist, geologist, & pretty well informed in Zoology, & Botany. I doubt if we can procure a more fit person. Should the appointment be made speedily I have only to desire, that you consider me as giving the preference to him. Meanwhile if I learn that you can make a better choice I will write to you. Emmet is young & will certainly be distinguished. He is also strong in mathematics which shews he has *stamina*.

Dr. Blaettermann has called several times to see me. I have entrusted to him Majr Cartwright's legacy & papers.

Long is also here, tho' I have not seen him. The others, I dare say are in Virginia. The Competitor must have arrived at Norfolk by this.

our Banker in London (Mr. Marx) informs me by a letter received by the Columbia, that our Books & apparatus were already shipped on board the Bliss, consigned to Jas. Buchanan, Baltimore—thence to the care of Bernard Peyton, Richmond. They are insured to Richmond. The freight & insurance, of course were not included in the statement I sent you.

1. John Patton Emmet (1797-1842), served at the University of Virginia until his death. He was the son of Thomas Addis Emmet, and therefore nephew of the more famous Robert Emmet, Irish patriot and martyr.

Emmet is very strong in chemistry which will of course put an end to Dr. Duglison's pretensions to that chair: and I was very explicit in giving him no assurance that chemistry should be attached to his professorship, and have drawn up the contract precisely in the words of your instructions.

I shall send the contracts also by Dr. Blaettermann, as you may have occasion for them the moment the professors arrive.

It will be observed, that £80 have been advanced Dr. Blaettermann, which is something more than his quarter's salary, owing to my not attending to the rate of exchange, the Bursar will correct this. He required more than the others, on account of a very great sacrifice in the lease of a house in London, which he had just furnished for a boarding school.

I wish I could be with you—I could explain every thing more fully, but I hardly hope to be, 'till Xmas.

our countryman Bernard Carter² (now in London) presented to the university, his whole Library. I doubt if it is of much value, but I thought it well to accept it, as a decoy. I hope flattering mention will be made of the present, to answer this end.

yours truly

F. W. Gilmer

Emmet has a valuable chemical apparatus which will be important, for finding no professor of this branch in G. B. I confined myself to such things as I knew we must have.

2. A Bernard Carter, born in 1780, married Lucy Lee; he was the son of Charles Carter (1732-1806).

Gilmer to Jefferson

[Missouri Historical Society]

New York Decr. 4th, 1824

Dear Sir,

I have this moment received your letter of Nov^r 30th. most of the inquiries I had already answered by anticipation. I am sorry we cannot obtain Torrey, but believe Emmet will make quite as able a lecturer, on chemistry, I believe he is superior. He will certainly accept it. I have seen him at my room.

As to the law chair, I am utterly dismayed by the labour it will require, so soon after a long & most dreadful illness from the symptoms of which I am still far from having recovered, and the debility consequent on it, I am sure must continue for months, even with every recreation. I must beg therefore, that should I not write again on the subject before your meeting of the visitors, another person may be selected—and I be left to outgrow if possible, the effects of my illness.

I omitted to mention, that I found the price of a skeleton so enormous in London, that I forebore to purchase one, especially as Dr. G. Sharp Patterson¹ of Baltimore promises you one, in his letter. Should that resource fail you, Dr. Watson of Richmond has lately procured a fine one, which I should suppose he would transfer to you, to be replaced by one you may import. They are generally to be had here from Paris, but the only two now here, I learn are indifferent.

My sickness beside having produced as much suffering as man can endure, every way disconcerts all my plans, and I assure you, it is too serious, to allow me to enter into new schemes of labour.

1. Granville Sharp Pattison (c. 1791-1851), Scottish anatomist, came to America in 1719. He became professor of anatomy in the University of Maryland in 1820; in 1826 he resigned to return to England in order to accept the chair of anatomy in the new University of London. In 1831 he came back to America as professor in Jefferson Medical College, Philadelphia. He held the highest reputation of his day as an anatomical lecturer. As a music lover he was one of those who aided in introducing grand opera in New York City.

For Ethics, I have made no inquiries, because I supposed you had long ago made your selection.

I am still confined to my room, tho' I now walk about a little in it. I hope to see you about Christmas, tho' I do not despair of setting out for Richmond in 8 or 10 days.

with best wishes for your continued health

yours most truly

F. W. Gilmer

neither did I procure a cabinet of minerals. I went to Maine [?] in the Strand to purchase a set, & found by accident he had lately sent you a 40 guin. [guinea] set, not knowing whether these were for your own use or that of the University, I abstained from the purchase—The price too seemed to me enormous, for the number & value of the minerals.

Gilmer to Jefferson

[Missouri Historical Society]

Richmond 26th. Decr. 1824

Dear Sir.

I arrived here on saturday after a very fatiguing journey from New York, staying two days in Baltimore, & as many in Norfolk. I did not write to you after receiving your last letter because I hoped to see you before this.

I find myself so weak & so much exhausted by the steam boats, that I think it imprudent to try the stages to charlottesville. as soon however as I can bear the journey I shall have the pleasure to see you at Monticello.

our books & apparatus have arrived at Baltimore.

Yours most truly

F. W. Gilmer

Gilmer to Jefferson

[Missouri Historical Society]

Richmond, 13th. Jan^y. 1824 [actually 1825]

Dear Sir

I have deferred writing to you, with the daily expectation of setting out to see you. My strength after so long a confinement naturally returns very slowly, and even now it would fatigue me too much to travel by the stage to albemarle, nor can I consent to accept the private carriages which have been offered me.

I am very desirous to see you, & to report to you fully my conduct, opinions &c. &c. and shall set out whenever I think it safe.

The delay of the Competitor gives me great uneasiness. I pressed most earnestly the necessity of the early arrival of the professors. They wished it, as much as we.

From your letter to Mr. Cabell¹ I fear you still consider me as professor of law. After my letters from Edinburgh (meant to apprise you early of my intentions) and those from New York, when I foresaw even the impossibility of acting, I hoped you would cast about for one whose health at least, would oppose no insuperable obstacle to so laborious a task.

I inquired at New York about Chanr Kent² of that state but I believe he would not accept it, & on the score of politics there are some objections, he having always been a zealous disciple of Hamilton & the ultras.

Believe me you should not rely upon my acceptance; honorable as the appointment certainly is to me, & anxious as I am to contribute every thing to the university, & to my native county [*sic*], I see distinctly that it is impossible for me to accept it.

1. Probably letter of January 11, 1825, to Joseph C. Cabell, cf. *The Writings of Thomas Jefferson* (Mem. Ed., Washington, 1903-04, XVI, p. 97 ff.). Jefferson said he was still without the professors of mathematics and natural philosophy, implying that law was filled.

2. Chancellor James Kent of New York (1763-1847), jurist and legal commentator.

I mentioned Emmet for natural history &c. If we cannot get Torrey, I believe you cannot do better.

believe me dear Sir,

yours most truly,

F. W. Gilmer

Gilmer to Jefferson

[Missouri Historical Society]

Richmond 21. Jan^y. 1825

Dear Sir.

Mr. Marx¹, in writing to me from London, Nov^r. 6th says, "the professors sailed in the Competitor". He does not mention on what day. This gives them on any estimate, a voyage of near 80 days. Tho' alarming, the case is not desperate. It grieves me however, that their delay, should frustrate our opening in Feby. which I knew you had so anxiously at heart.

My recovery is constantly retarded by colds. I believe a week in albemarle, would do more to restore me, than any medicine; but to get there, hoc opus, hic labor.

I shall lose not a day, after I can bear so long a ride, in the stage.

yours most truly

FW Gilmer

x Mr. Marx tells me, the additional apparatus had been shipped.

1. Of the firm of Gowan and Marx, book agents.

Gilmer to Rector and Visitors

[Alderman Library]

Jan. 25, 1825

To the Rector and Visitors of the University of Virginia.

It was my intention on leaving England, to have drawn up during the voyage an extended report of all my proceedings on the mission with which I was entrusted. A most boisterous passage, with continued & severe sickness prevented me, and since my arrival, I have had neither leisure nor strength for the undertaking. A short account of my pecuniary transactions however, I feel myself bound to present. That is rendered very simple, by my never having had in my hands, a shilling of the money. all the payments were made directly by Gowan & Marx (Bankers,) to the persons entitled to receive the money.

I have to account with the university, for a bill drawn in Richmond on the 29th. April 1824, by Joseph Marx & Son, on Gowan & Marx of London, for £1800 ster^s. due at 60 days sight, & indorsed by Wm Nekervis Cashr. of the Farmer's Bank of Virginia.

This bill was presented for acceptance, on the 13th. June, and was of course due on 16th August.

The following are the drafts I made on Gowan & Marx.

	£	S	D
Sep 20th in favour of George Blaettermann—advance as pro- fessor in the university.....	80.	0.	0.
29th of John Tuthor (optician) part of apparatus	21.	16.	6.
Octr 1 Letter of credit in favour of Bohn (Bookseller).....	1.129.	7.	6. [sic]
do. Ths. H. Key—advance as Pro- fessor	50.	0.	0.
do. Dr. R. Dunglison do.....	50.	0.	0.

do. Cary (optician) amount not exactly ascertained as some of the instruments were to be made.... 205. 15. 0.

3d Ch. Bonnycastle—advance as
Professor 50. 0. 0.
do for farther apparatus..... 50. 0. 0.

1.636. 19. 0.

Leaving a balance in the hands of Gowan & Marx due the university of..... 163. 1. 0.

This however will be diminished by insurance, package, drayage &c. &c.

It will be observed, that the books already arrived do not, include all enumerated in the annexed catalogue, because some of the books were to be shipped from the continent directly to the United States. They however, are not to be paid for, until shipped, which was to be early in November.

(B) is the catalogue of books with the prices annexed.

(C) is a very full catalogue of instrumental books furnished by the learned Dr. Parr.

(D) is a catalogue of the library of the Royal Institution presented by Mr. Harris.

(I) is a list of instruments already furnished, & of others to be delivered in London by 25th oct. '24 (some delay I fear is likely to occur as to part of them, from a misunderstanding between Cary the maker & G&M. about a deduction of 10 p. c. on some of the articles).

(K) is a letter confidential in its nature. I do not wish its contents to be made known to any one, but the visitors, and desire it may be returned to me, after it has been submitted to them.

(M) is a letter from the Revd John Lynes, offering to the university the library of Dr. Parr at his death. He married a granddaughter of Dr. Parr, & will be his executor. The proposal is also mentioned in a letter from Dr. Parr to me.

I have already informed the Rector by letters from New York of the persons employed as Professors in the different departments, and have forwarded to him their several contracts.

I have the honor to be with great consideration & respect,

your very hum. Servt &c &c.

Francis W. Gilmer

Richmond 25th January 1825

[EDITOR'S NOTE: Unfortunately the inclosures referred to seem to have completely disappeared].

Gilmer to Jefferson

[Missouri Historical Society]

Richmond 27th Jany. '25

Dear Sir

I send by Mr. Garrett¹ [*sic*], a short report, such as my state of health enables me to make out at a sitting, without being irksome. I will enter into details when I see you, which shall be as soon as the roads are passable.

I send also, a catalogue of the books & apparatus. Part only of the books have arrived. They should be opened without delay.

Some delay I fear will occur, in sending a portion of the apparatus, from a misunderstanding between Cary & Marx, about a deduction of 10 p. c. from some articles.

The delay of the Competitor becomes every day more fearful.

yours most truly

F. W. Gilmer

1. Alexander Garret, Bursar of the University of Virginia.

Gilmer to Jefferson

[Missouri Historical Society]

Richmond 31st Jany 1825

Dear Sir

Intelligence has at last reached us, that the Competitor is not lost; it put into Plymouth in the gale, & was there on the 8th Decr. We may expect the professors every day. the delay is vexatious, but less distressing than the loss of the professors would have been.

yours most truly

F. W. Gilmer

Gilmer to Jefferson

[Missouri Historical Society]

Richmond 14th Feby. 1825

Dear Sir.

I have just received from Key the gratifying intelligence, that he, Bonnycastle and Duglison are all in Norfolk. They will be here early Wednesday morning, and in Charlottesville I suppose, by the Saturday's stage.

I had fixed on wednesday last, for setting out to al-bemarle. we had four days continued rain (& it is now raining) which will delay me another week.

yours most truly

F. W. Gilmer

Gilmer to Jefferson

[Missouri Historical Society]

Richmond 23d Feby. 1825

Dear Sir.

I received yesterday from Mr. Key, a letter from Dr. Birkbeck of London, inclosing another from Mr. Harwood¹, of which I deem it my duty to apprise the visitors of the university.

Mr. Harwood is the Lecturer on Natural History, at the Royal Institution, London. He was the only person I had any idea of employing in this department, of whom I could hear. His engagements however would not permit him to leave England until June or July. This circumstance, together with its being doubtful whether he could include chemistry in his course, induced me to discontinue the negotiation. I find he is very desirous to become one of our Professors, & should you not be able to procure one in the U. S. before May or June, I shall have great pleasure in renewing my correspondence with Mr. Harwood in your behalf. His prepossessions appear to be favorable to our country and I have little doubt, that in natural history, he would be a valuable accession.

I mentioned in a former letter, that some delay was likely to occur as to shipping part of the apparatus. I am glad that the difficulty was postponed for my instructions, and that all the apparatus has been shipped, and has before this arrived at Charlottesville.

yours most truly

F. W. Gilmer

1. John Harwood, M. D., F. R. S., died at St. Leonard's-on-the-Sea, September 7, 1854 (cf. Trent, *English Culture in Virginia*, pp. 111-113).

Richmond, 12 March 1825

Dear Sir*.

Your letter of the 6th reached me only yesterday. I am sorry that Mr. Bonnycastle should so far have misunderstood Mr. Barlow¹; and indeed surprised that the conversations we had in London did not undeceive him.

I kept no copies of the numerous notes which passed between Mr. Barlow & myself on the subject, but I have a very distinct recollection of the offer, & assurances I made. You will observe, that the contract with Dr. Blaettermann allows him only \$1000 salary after the first year. Without any very specific understanding with Dr. D. [unglison] & Mr. Key, in my preliminary negotiations with them, I endeavoured to preserve the same measure, and thought I had done so, until just as the contracts were to be executed. All this, both of those gentlemen must remember, as it produced both notes & conversation. Their contracts were consummated only a day or two before Mr. Bonnycastle's (whatever the dates may be) and in mentioning to Mr. Barlow, that I could offer to Mr. Bonnycastle some indemnity for his loss under the bond², I meant no more, than that I would allow him a salary of \$1500 for the whole term of five years, which was \$2000 more than I then contemplated for the other Professors. When Mr. Bonnycastle called the time before the last, I expressed my regret, that what I designed him as an indemnity, he would now consider none, for I had given \$1500 to both the other gentlemen. He seemed then to have made up his mind to accept the offer I made him. I mentioned however that he would

*[There are several copies of this letter, varying slightly. This is the most complete one].

1. Peter Barlow (1776-1827), professor at the Royal Academy at Woolwich (cf. Davis, *Gilmer*, p. 224), mathematician, physicist, optician.

2. In order to accept the Virginia position Bonnycastle had to pay a £500 forfeit bond to the British government. When Gilmer met him he seems to have been in government service.

have one of the most popular professorships, and would find some recompense in that circumstance. But should that fail to be the case, I would mention the whole facts to the visitors, who if he was compelled to pay the £500, would perhaps do something for him to "break the blow". By which I meant, that I would inform the visitors, that I should have gone as far as to guaranty to Mr. Bonnycastle the receipt of \$2500 for five years. I did not consider my powers as authorising me to go farther, and never intimated that I would do this. But I should have done it, if necessary, and all that I consider good faith requires of the visitors, or of me, is to reimburse Mr. B. should he be compelled to pay the £500 as far as his salary & class, may fall short of \$12500 in the whole five years, should he continue so long, or proportionally for each year he continues for a shorter time³.

I was sorry I had so little opportunity of conversing with Mr. B. of whom I saw very little, whose competence I had to take much more upon trust, than I wished, or should, but from a great desire to come back with the certainty of the university being opened at once.

I did not put all this into my report because my ill health made it irksome to write, I intended however to have told you all that passed when I saw you, of which, this letter will as to Mr. B. save the necessity, being very full.

I shall not write to Mr. B. because I hope to see him in a fortnight when I shall be happy to enter into explanation on any point he, or you may wish.

your satisfaction, & that of your associates as to the manner in which I have discharged an office full of difficulty & delicacy, is very gratifying to me. I shall never repent anything I have done, however I may deplore it. My zeal & fidelity at least, will never be questioned by any who know the exertions I made.

3. There is a second Library of Congress copy of this letter which is slightly different from this one. The letter Jefferson received may not have contained this paragraph at all.

I am surprised that the books from the Continent which were to be shipped in November, had not been shipped on 29th Jany. I cannot understand this. I have been waiting 6 weeks for a letter from Mr. Garrett to write to Gowan & Marx, about them.

I will remark that the best authority in G. B. informed me, that all your astronomical instruments may be had $\frac{1}{3}$ cheaper, & actually better, at Munich, than at London. What are made in London should be by Dollond, immediately opposite St. Paul's.

yours truly, &c.

F. W. Gilmer

Gilmer to Jefferson

[Missouri Historical Society]

Richmond 13. March 1825

Dear Sir.

I send you a very full account of all that passed between Mr. B. & myself. I am astonished he should be so entirely in error, from any thing I ever said or, wrote, for I know not what Mr. Barlow may have told him.

I am surprised that the books from the continent which were to be shipped in Novr. were not shipped on 29th Jany. I cannot understand this. I have been waiting 6 weeks for a letter from Mr. Garrett, to write to Gowan & Marx about them.

I will observe that the best authority in G. B. told me, that all your astronomical apparatus of the higher kind, may be had $\frac{1}{3}$ cheaper, & actually better, in Munich, than in London.

What are made in London should be, by Dollond, immediately opposite St. Paul's.

yours most truly,

F. W. Gilmer

[EDITORIAL NOTE: During the spring of 1825 Gilmer kept up some part of his legal practice in Richmond. In May he went to "Farmington," the estate of his relatives the George Divers near Charlottesville, for a long rest. Though he returned to Richmond before June, he gave up his law practice and concentrated on the final fight for his health].

Gilmer to Jefferson

[Missouri Historical Society]

Farmington 10th May 1825

Dear Sir.

I have received from Mr. Minor¹, a note urging me to call on you to day. Had my health permitted, I should have been with you weeks ago, but I can neither bear the fatigue of so long a ride, nor of continued conversation, and should be every way a troublesome & unprofitable guest to you.

I hope in a week, to be able to see you. But my present health, & the long continuance of my sickness, render my declining the honor which has been so flatteringly offered me, more necessary.

yours most truly

F. W. Gilmer

1. Peter Minor, Gilmer's brother-in-law and secretary of the first Board of Visitors of the University of Virginia.

Richmond 24th. May 1825.

Dear Sir.

When I wrote to you last about the claim of Mr. Bonnycastle, I had not the least conception of the light in which he viewed the case, nor of the necessity of some speedy decision on it. I supposed there could be no occasion for you to act until the forfeiture was claimed, or I should certainly have taken a more immediate interest in his behalf. The letter I wrote contained my recollection of the main points of what passed between us. The agreement however was as he says, very hastily dispatched, owing to his previous absence on the continent. I believe I had taken my passage before my first interview with him. I do not doubt what he states as his impression, which seems to be decided, that we were to absolve his surety from the bond. I consider my honour pledged to fulfil the promise as he understood it, (tho' different from what I intended) and if the visitors have any difficulty in assuming at once the payment, so far as to satisfy him and his surety, I beg you to understand, that I consider myself personally bound for it. I offered to pay the bond out of my own purse to Mr. Bonnycastle which he declined, and if this course should become necessary, I have only to request, that it be done as ostensibly the act of the visitors.

My dreadful state of health has subjected me to much very undeserved censure from several of the Professors, to whom I designed, & thought I conferred a favour by my selection. a little more time I am sure will remove all their apprehensions.

yours truly &c.

F. W. Gilmer

Richmond 28th. May 1825

Dear Sir.

on my arrival here, I found two letters and a bill of lading from Gowan and Marx, concerning the books you have already received. His letter does not apprise me, whether the two shipments of books he mentions, completes the order. a copy of a letter from Bohn to Marx, mentions also, a small box of books consisting of additions, omissions &c. to that part of the order to be executed in London. I can know how far my instructions have been obeyed, only by comparing the books with the catalogue, which I will do, when I am in albemarle in august.

I thank you for Coopers "Consolidation"¹. It ought to be published in pamphlets & circulated far & wide.

My health has improved since I saw you, and I was about to write to you, that I would gladly accept the honor offered me, (which my health alone induced me to decline,) when I learned, you had appointed Judge Dade².

yours truly

F. W. Gilmer

1. *Consolidation, An Account of Parties in the United States from the Convention of 1787, to the Present Period.* Anonymous pamphlet (Columbia, 1824). This work is important in its relation to the States Rights doctrines.

2. Judge W. A. C. Dade, who subsequently declined the offer of the professorship of Law.

Jefferson to Gilmer

[Alderman Library]

Monticello June 6 ·25.

Dear Sir

Altho' our institution has been successful in the main, yet in some of its details fortune has thwarted our views very sensibly. had your letter of May 25 been recieved one day sooner, all our chairs would have been now filled according to our first wishes. on the 30th of May I recieved a 5th vote in favor of Judge Dade, and on the 31st I conveyed to him the offer of our Law-chair. The next day (June 1) I recieved a 6th vote for him, and, by the same mail, your letter of the 28th. The vote for the judge was unanimous save one; yet I should not have hesitated to suppress it in favor of that which was unanimous, and our first choice. we have still a chance open in the possibility of a refusal, which, should it take place, will be known to me in a few days, and to you as quick as the mail can carry it. I rejoice that in any event our chair will at length be filled, for which there has been clamor, and many are now waiting. all will be gratified, and strangers, who undertake to think for you, think such a position among your first friends ought to gratify you.

The affair of Mr. Bonnycastle was settled between him and myself, without a word of hesitation. his chief object was to ward off the payment from his friend. I agreed at once to advance the money and he to repay it by instalments.

We have been fortunate in the acquisition of an agent for the purchase of our books, and who will proceed immediately to England, France and Germany on that business. a fit agent for our apparatus will be found with more difficulty. Whether I recieve a yea or nay will be communicated to you as soon as known to myself.

Affectionate salutations,

Th. Jefferson

Jefferson to Gilmer

[Alderman Library]

Monticello Aug. 5.25

Dear Sir

I recieved, the day before yesterday, Judge Dade's final answer declining our law-chair and yesterday I gave the information to the Visitors. I informed them at the same time that your health was so far restored as to give me hopes you might now accept it, and I referred to them to determine whether they would chuse to have a meeting to make a choice, or recuring to their first choice, would authorise me, by their separate letters to make the proposition to you. it will require a fortnight to get all their answers, on the receipt of which you shall hear from me without delay.

yours affectionately

Th. Jefferson

Gilmer to Jefferson

[Missouri Historical Society]

Farmington 10. Aug. '25

Dear Sir,

I received your letter of the 5th. and should have called to see you, but for my constant unwillingness to add another to the crowd of visitors who harass & oppress you.

My health is much improved, and I hope the Springs will quite restore it to me. I set out tomorrow or the next day for "Bowyers White Sulphur", where I shall remain about three weeks.

With best wishes for your health &c.

yours truly

F. W. Gilmer

Jefferson to Gilmer

[Alderman Library]

Monticello Oct. 11.25.

Dear Sir

I have great pleasure in informing you that the Board of Visitors at their late meeting unanimously appoint you Professor of the school of Law in the University of Virginia, and that on signifying your acceptance the letter of appointment shall be immediately made out. With my sincere hopes that this mark of the esteem in which they hold you may be recieved with as much pleasure as it has been given, and adding that the concurrence of no one therein has been more cordial than mine I pray you to accept assurances of my constant & friendly attachment and respect.

[no signature]

Farmington 23^d Oct^r. 1825

Dear Sir.

I reached this place last monday exhausted by fatigue & long sickness almost to death. The daily hope of being better, & able to visit you, has prevented my even sending to inquire after your health. I shall wait on you in a few days.

Mr. Johnson¹ (whom I saw at Lynchburg) had given me a great deal of very unpleasant intelligence of the university. The temper of Messrs Key & Long toward me as he represented it (god knows on what information) astonished me beyond every thing. I have seen those gentlemen twice, & find with great satisfaction, that Mr. Johnson has been altogether deceived.

Neither Key nor Long can explain how they ever had the slightest impression from me that they were to have no concern in the government of the university: and it is most certain, that the idea of a university in whose government the Professors took no part, was never in my head until Mr. Johnson put it there by mentioning their complaint at Lynchburg. I did not know there was such a university in the world, unless some of the Scotch might be, of all which I had a very poor opinion, and I was sure there was none such in America. They however seem quite satisfied, & that is enough. I tell you these things, from the very kind interest you have long done me the honor to take in all that concerns me.

I must delay for a few days returning a formal answer to the letter you left in charge of Minor. I have received it, but tho' my mind has long ago been too firmly made up, to allow you to suppose it wavering, it is fit that I should make a reply as little unworthy as I

1. Chapman Johnson, prominent lawyer and member of the first Board of Visitors, was one of Gilmer's particular friends.

can, of your kind & flattering letter: even for that, I am almost too weak.

my uncle & aunt² especially desire to know the state of your health, and to learn it, was all I had in mind when I sat down. Present me if you please, with best wishes & kind remembrance to Mrs. Randolph, and believe me dear Sir most

truly yours,

F. W. Gilmer

2. Mr. and Mrs. George Divers, childless relatives of Francis Gilmer's, who planned to leave to him the Farmington estate near Charlottesville.

Gilmer to Jefferson

[Missouri Historical Society]

Norfolk 1st. Dec^r. 1825

Dear Sir.

I am here looking after a mild air, and have had for eighteen days the most unpleasant weather I ever knew, at this season.

If I have strength to lecture, I shall begin on the 1st. Feby. I am tired of long inactivity, and had rather die in harness than in the stable.

I found a door to connect the chamber with the study in the Corinthian pavilion¹, absolutely necessary to any comfort, and hope the visitors will have no objection to one's being opened.

I hope to be with my friends in Albemarle before christmas.

yours truly &c

F. W. Gilmer

1. Probably Pavilion III, but possibly Pavilion VIII, at the University of Virginia.

Gilmer to Jefferson

[Missouri Historical Society]

Farmington 14. January 1826

Dear Sir

I have delayed perhaps longer than I ought informing you, that the state of my health renders it impossible I should join the university by February. For my own part, I have been so long sick, & growing worse, that I have little hope of ever being good for any thing again.

I know the delicacy which the interests of the university requires. There will be a considerable law class concevned [*sic*] early in the session: the disappointment must be great. You will no doubt act for the best. and in doing so, I pray you consider me as having actually resigned, or elect a Professor *pro tempore*, or do what you please; I wish only the interest of the university.

I am glad to hear your health is better with kind remembrance to the family,
& profound respect & veneration for yourself accept my best wishes.

F. W. Gilmer

Monticello Jan. 23·26.

I have been anxious to visit you and think I could do it, but Dr. Duglison protests against it. I am at this time tolerably easy but small things make great changes at times. I can only in this way then ask you how you do? and not requiring an answer from yourself but from such member of the family as is well enough. we have had a fine January, but may expect a better February. that month often gives us genial weather. and a little of that will I hope set you up again. as to the commencement of the term think nothing of it. The more care you take of yourself the sooner you will be ready for that. with every wish and hope of improvement in your health accept my affectionate salutations.

[no signature]

Gilmer to Jefferson

[Missouri Historical Society]

Farmington 24 Jan^y. '26

Dear Sir,

I am glad to hear you are so well. My health is such that I can only say I have denied every body. I could not talk with you two minutes without injury. Moreover I am forbidden to go down a high pair of stairs.

When I can hold a conversation & leave my room, I shall still be proud of the honour you now offer me.

farewell

F. W. Gilmer.

[EDITOR'S NOTE: This is the final letter of the series. Gilmer died on February 25. For his brother Peachy R. Gilmer's first-hand account of his last days, see Richard B. Davis, *Francis Walker Gilmer*, pp. 337-341 (Appendix A)].

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